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Benj. Stelle
1783.

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CONGRESS,

CONTAINING

THE

PROCEEDINGS

From JANUARY 1st, 1778, to JANUARY 1st, 1779.

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JOURNALS OF CONGRESS.

THURSDAY, *January* 1, 1778.

A MEMORIAL from the chevalier de Villefranche was read ſetting forth, that though he received a gratification and money for his return to France, yet upon re-conſideration, he would rather ſtay in this country, if he could be employed in the corps of engineers under brigadier du Portail, in which caſe he would return the money and bill of exchange granted him: whereupon

Reſolved, That the chevalier de Villefranche be appointed major in the corps of engineers under the command of the brigadier du Portail.

An extract of a letter from major general de Kalb, and a memorial from Lewis Caſimer baron de Holzendorf, were read:

Ordered, That they be referred to the board of war.

The marine committee, to whom was referred the letter of the 6th of December laſt from Thomas Cuſhing, eſquire, with a bill of exchange incloſed, report,

"That in their opinion the ſaid bill ought to be paid by a warrant on the treaſurer in favour of the perſons in whoſe behalf the bill is drawn;"

Reſolved, That Congreſs agree to the report of the committee.

Ordered, That the ſaid report, with the bill and letter be referred to the board of treaſury.

Reſolved,

Reſolved, That general Waſhington be directed to order the commanding officers of the continental regiments now in camp, to make exact returns of the ſoldiers in their reſpective regiments to the paymaſters thereof, to prevent any impoſition in the payment of the one month's pay extraodinary which Congreſs in their reſolve of the 30th of December laſt have ordered to be given to the brave officers and ſoldiers of the continental army, on account of their ſoldierly patience, fidelity and zeal, in hutting, &c. as expreſſed in the ſaid reſolve.

A memorial to Congreſs and the ſupreme executive council of Pennſylvania from Iſrael Pemberton and others; alſo a letter from Owen Jones, junior, to James Duane, eſquire, were read:

Reſolved, That the conſideration thereof be poſtponed.

Three o'clock, P. M.

The committee on the treaſury brought in a report; whereupon Congreſs came to the following reſolutions:

Whereas Dennis John du Bouchet, who for his merit and ſpirited conduct in the late northern army, upon the ſpecial recommendation of major general Gates, commander in chief in the northern department, was created a major in the ſervice of the United States of America, hath ſignified to Congreſs his deſire of returning to France, as his ſtate of health will not permit him to engage in actual ſervice; therefore

Reſolved, That he be permitted to quit the ſervice, and to return to France whenever he may have an opportunity; and in conſideration of his merit that a ſum of one hundred dollars be preſented to him to defray his expences to the port of embarkation, and a bill of exchange for nine hundred livres tournois on the commiſſioners of the United States at the court of France, to defray the expences of his paſſage and travelling expences to Paris, and in full of all demands for his ſervices and pay.

Colonel Samuel Waſhington having, on account of his ill ſtate of health, declined the office of commiſſioner to the weſtward,—Congreſs proceeded to the election of another in his ſtead; and the ballots being taken,

John Walker, eſquire, was elected.

A letter

A letter of the 8th and one of December 13th from doctor B. Rush to Mr. Duer were laid before Congress and read:

Ordered, That the said letters, and also the letter of the 25th of December from governor Livingston, be referred to a committee of five;

The members chosen Mr. Witherspoon, Mr. Harvie, Mr. Lewis, Mr. Dana and Mr. Harnett.

Resolved, That the said committee be fully authorised to take every measure which they shall deem necessary for the immediate relief of the sick, and report such alteration in the medical department, as they shall judge best adapted to answer the end of its institution.

The delegates from Massachusetts-Bay laid before Congress the credentials of their appointment, which were read as follows,

"State of Massachusetts-Bay. Council chamber, Boston, December 4, 1777. The general assembly having this day come to the choice of seven gentlemen to represent this state in the honorable continental Congress, by joint ballot of both houses, to serve for the ensuing year, it appeared after counting and sorting the votes, the following gentlemen were chosen, viz. honorable John Hancock, Samuel Adams, John Adams, Robert T. Paine, Elbridge Gerry, Francis Dana and James Lovell, esquires. Attest. John Avery, deputy secretary."

A letter of December 26th from general Washington, and one of the same day from Thomas Wharton, president of the council of Pennsylvania, to the delegates of that state in Congress, were read:

Ordered, That the last be referred to the board of war, and the members added thereto for a particular purpose on the 29th of December last.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, *January* 2, 1778.

A letter and memorial from the chevalier Armand de la Rouerie were laid before Congress and read:

Ordered, That they be referred to the board of war.

A letter from the chevalier de Roche Fermoy was read:

Ordered,

Ordered, That it be referred to the delegates from Maſſachuſetts-Bay.

Congreſs having no farther occaſion for the ſervice of Eſek Hopkins, eſquire, who on the 22d of December 1775, was appointed commander in chief of the fleet fitted out by the naval committee,

Reſolved, That the ſaid Eſek Hopkins, eſquire, be diſmiſſed from the ſervice of the United States.

Three o'clock, P. M.

Congreſs took into conſideration the reſolutions agreed to in a committee of the whole, and the firſt reſolution being amended ſo as to read,

That the charge made by lieutenant general Burgoyne, in his letter to major general Gates of the 14th of November, of a breach of public faith on the part of theſe ſtates, is not warranted by the juſt conſtruction of any article of the convention of Saratoga; that it is a ſtrong indication of his intention, and affords juſt grounds of fear that he will avail himſelf of ſuch pretended breach of the convention in order to diſengage himſelf and the army under him of the obligations they are under to theſe United States; and that the ſecurity which theſe ſtates have had in his perſonal honor is hereby deſtroyed.

The reſolution being divided, and the queſtion put to agree to the two firſt clauſes,

Reſolved in the affirmative.

Queſtion put to agree to the laſt clauſe, viz. "and that the ſecurity," &c.

New-Hampſhire,	Mr. Folſom,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*no*
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
	Mr. Clark,	*no*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Clingan,	*ay*	
	Mr. J B. Smith,	*ay*	
	Mr. James Smith,	*ay*	

Virginia,

Virginia,	Mr. F. L. Lee,	*no*	*no*
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Harnet,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*ay*	*ay*
Georgia,	Mr. Wood,	*ay*	*ay*
	Mr. Langworthy,	*ay*	

So it was resolved in the affirmative.

The second resolution was read, and sundry amendments being made,

Resolved, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, *January* 3, 1778.

A letter of the 15th of December from Jonathan Trumbull, junior, paymaster in the northern department, was read, inclosing a warrant in his favour on N. Appleton, esquire, commissioner of the loan-office in the state of Massachusetts-Bay, dated October 16th, 1777, returned for want of pay:

Ordered, That it be referred to the board of treasury.

A letter of the 7th of December from P. Colt, esquire, at Boston, and another of the 16th of the same month from him at New-Haven, both directed to W. Buchanan, commissary general of purchases, were read:

Ordered, That they be referred to the board of war.

A letter of December 26th from the navy board at Bordenton, with sundry papers inclosed, respecting the conduct of lieutenant Heneſsy, was read:

Ordered, That it be referred to the marine committee.

Resolved, That general Washington be authorised to appoint such a number of aids de camp as he may from time to time judge necessary, and to make choice of regimental officers for that purpose, if he thinks proper; any thing in former resolutions of Congress to the contrary notwithstanding.

Three o'clock, P. M.

A petition from Daniel Lush was read:

Ordered, That it be referred to the board of treasury.

A letter

A letter of December 29th from brigadier Weedon was read:

Ordered to lie on the table.

The committee on the treaſury brought in a report; whereupon

Ordered, That two hundred thouſand dollars be advanced to the board of war, to be by them tranſmitted to Jonathan Trumbull, junior, paymaſter in the northern department, for the uſe of his diſtrict, and for which he is to be accountable:

That thirteen thouſand three hundred and fifty-nine dollars be paid to John Brown, for diſcharging Thomas Cuſhing's bill on H. Laurens, eſquire, preſident of the marine committee, in favour of Andrew and James Caldwell and company, dated Boſton, December 6th, 1777, and expreſſed to be for the uſe of the continental ſhips building in Maſſachuſetts-Bay; the ſaid marine committee to be accountable:

That ſix hundred and ſeventy-five dollars be paid to Mr. Caldwell, in diſcharge of John Aſhe's two bills on the continental treaſurer, dated North Carolina, the 27th of March laſt, in favour of Francis Brice, one for two hundred and ſeventy-five and the other for four hundred dollars; the ſtate of North-Carolina to be accountable, and the ſum to be conſidered as part of the five hundred thouſand dollars appropriated for the uſe of that ſtate.

Congreſs reſumed the conſideration of the ſecond reſolution paſſed in committee of the whole, on report of the committee on lieutenant general Burgoyne's letters, and ſundry amendments being made ſo as to read thus,

"*Reſolved* therefore, that the embarkation of lieutenant general Burgoyne and the troops under his command be ſuſpended till a diſtinct and explicit ratification of the convention of Saratoga ſhall be properly notified by the court of Great-Britain:"

On the queſtion put to agree to the reſolutions as amended,

New-Hampſhire,	Mr. Folſom,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	*ay*
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*declined voting*	
Connecticut,	Mr. Dyer,	*declined voting*	

New-

New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Clark,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. J. B. Smith,	*ay*	
	Mr. Clingan,	*ay*	
	Mr. James Smith,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*divided*
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Harnett,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*ay*	*ay*
Georgia,	Mr. Wood,	*ay*	*ay*
	Mr. Langworthy,	*ay*	

So it was reſolved in the affirmative.

Ordered, That the reſolutions paſſed by Congreſs, and the report on which the ſame are grounded, be re-committed.

Reſolved, That Monday next be aſſigned for appointing auditors of accounts in the northern and eaſtern departments, and for the army in the middle department.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock on Monday.

MONDAY, *January* 5, 1778.

A letter from monſieur Laneuville; one of this day from the reverend Mr. Batwell; one of the 1ſt from general Waſhington; one of the 20th of December laſt from governor Clinton, of the ſtate of New-York; and one of the 2d from the council and aſſembly of Pennſylvania, were read:

Ordered, That the letter from Mr. Batwell be referred to the board of war; that the letter from the council and aſſembly of Pennſylvania be referred to a committee of three;

The members choſen Mr. J. B. Smith, Mr. Witherſpoon, and Mr. Folſom.

Ordered, That the letter from Mr. Laneuville be referred to the committee on foreign applications.

Reſolved, That the reverend Mr. Iſrael Evans be appointed chaplain to brigadier Poor's brigade.

The committee to whom were referred certain propoſitions contained in a letter from the committee lately ſent to camp, dated White-Marſh, December 10th, 1777,

and directed to general Washington, brought in a report, which was read:

Ordered, That the consideration thereof be postponed to the afternoon.

Congress proceeded to the election of an adjutant general, in the room of colonel Pickering, who is called to the board of war, and the ballots being taken,

Colonel Alexander Scammel was unanimously elected.

Three o'clock, P. M.

The committee on the treasury brought in a report; whereupon

Ordered, That the following warrants issue in favour of Blair M'Clenaghan and James Caldwell, for the payment of a quantity of salt-petre, sulphur and lead, amounting to sixty-one thousand seven hundred and nineteen dollars and 30-90ths, purchased of them by the board of war for the use of the United States of America, and delivered to Leonard Jarvis, esquire, at Dartmouth, the 25th of November last; for which the said L. Jarvis is to be accountable, viz.

One on Thomas Smith esquire, commissioner of the loan-office in the state of Pennsylvania, for forty-seven thousand dollars, to be paid in loan-office certificates bearing date November 25th, 1777, as per agreement; and one on the treasurer for fourteen thousand seven hundred and nineteen dollars and 30-90ths.

Congress took into consideration the report of the committee on the propositions, and after debate,

Resolved, That the consideration of the two first paragraphs be postponed to Wednesday next, and the rest of the report till to-morrow.

Resolved, That the appointment of auditors be farther postponed.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, *January* 6, 1778.

A letter of the 4th from E. Blaine, deputy commissary, and one of this day from W. Buchanan, commissary general of purchases, were read:

Ordered, That they be referred to a committee of six;

The members chosen Mr. Ellery, Mr. Clark, Mr. Lewis, Mr. Harnett, Mr. J. B. Smith and Mr. Clingan.

The

The committee to whom were referred the letters from governor Livingſton and doctor Ruſh, brought in a report, which was taken into conſideration; whereupon

Reſolved, That the cloathier general be directed to deliver to the order of the director general as much linen and as many blankets as can be ſpared, to be retained in the hoſpital for the uſe of the ſick:

That the cloathier general be directed to ſupply the convaleſcents with neceſſary cloathing, in order that when properly recovered they may join the army:

That a member of Congreſs be appointed to viſit the hoſpitals in the middle department;

The member choſen Mr. Penn.

Reſolved, That a recommendation be ſent to the clergy of all denominations in the middle diſtrict, to ſolicit charitable donations of woollens and linens, made or unmade, for the ſick ſoldiers in the hoſpital; and to ſend the ſame to the board of war or any hoſpital, as may be moſt convenient.

Reſolved, That doctor Shippen and doctor Ruſh be directed to attend Congreſs on the 26th day of January inſtant, to be examined touching certain abuſes ſaid to prevail in the hoſpital.

Reſolved, That the farther conſideration of the report be poſtponed to the afternoon.

Three o'clock, P. M.

Congreſs reſumed the conſideration of the report under debate this morning; whereupon

Reſolved, That the ſum of ten dollars ſhall be paid by every officer, and the ſum of four dollars by every ſoldier, who ſhall enter or be ſent into any hoſpital to be cured of the venereal diſeaſe; which ſums ſhall be deducted out of their pay, and an account thereof ſhall be tranſmitted by the phyſician or ſurgeon, who ſhall have attended them, to the regimental paymaſter for that purpoſe; the money ſo ariſing to be paid to the director general or his order, to be appropriated to the purchaſing blankets and ſhirts for the uſe of ſick ſoldiers in the hoſpital.

Congreſs proceeded to the election of a ſecretary to the board of war and ordnance, and the ballots being taken,

James Wilkinſon, eſquire, was elected.

A letter

A letter of the 17th of December laſt, from the council of New-York to the delegates of that ſtate in Congreſs, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Wood, Mr. J. Smith and Mr. Roberdeau.

Congreſs reſumed the conſideration of the report of the committee on certain propoſitions, &c. whereupon

Reſolved, That general Heath be directed to order the deputy quartermaſter general in the eaſtern department forthwith to provide one thouſand good bell tents, and ſend them to the army under the command of general Waſhington.

Reſolved, That the ſix firſt paragraphs be referred to a committee of the whole Congreſs, and that the conſideration of the laſt paragraph be poſtponed.

The committee on the treaſury brought in a report; whereupon

Congreſs came to the following reſolutions:

Whereas it appears by a return made to the board of treaſury from the managers of the lottery of the United States, that the invaſion of the ſtate of Pennſylvania by the enemy has obſtructed this buſineſs and produced conſiderable delays in the ſale of the tickets, in ſo-much that the number yet remaining on hand renders it neceſſary once more to poſtpone the drawing; and whereas Congreſs being deſirous as far as poſſible to fullfil the expectations of the adventurers, think it proper to give them the fulleſt aſſurance that at the time herein propoſed the managers are to proceed on this buſineſs without further delay:

Reſolved, That the drawing of the firſt claſs of the lottery mentioned be poſtponed to the firſt day of May next, at which time the managers are directed to proceed therein and compleat it as ſoon as may be, and that all the tickets then unſold ſhall be the property and at the riſque of the United States:

That half per centum upon the amount of tickets ſold be allowed to the perſons employed by the managers, or by the ſeveral ſtates to ſell tickets, in lieu of the encouragement given by a reſolution of Congreſs of the 30th of November, 1776.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

WEDNESDAY,

WEDNESDAY, *January* 7, 1778.

A letter of the 20th of December laſt from general Spencer, with ſundry papers incloſed, was read:

Ordered, That it be referred to the board of war.

A letter of the fifth from the preſident of the council of Pennſylvania was read.

Three o'clock, P. M.

The committee on the treaſury brought in a report, which was read, whereupon Congreſs came to the following reſolution:

Whereas the iſſuing commiſſary who was ſtationed at fort Montgomery has deſerted to the enemy, by which circumſtance the officers at that poſt have not had it in their power to receive pay for their back rations for want of proper certificates; therefore

Reſolved, That the paymaſter general or his deputy be directed to pay the ſaid back rations, on an account thereof being exhibited on oath by any of the ſaid officers to brigadier Clinton, or the commanding officer, and a warrant drawn by him for that purpoſe.

Ordered, That a warrant be drawn on Thomas Harwood, eſquire, commiſſioner of the continental loan-office in the ſtate of Maryland, in favour of Stephen Steward, for ſix thouſand dollars, advanced him on account of the commercial committee, who are to be accountable.

The delegates from Maſſachuſetts-Bay laid before Congreſs a reſolution of the legiſlature of that ſtate reſpecting the powers of their delegates in Congreſs, which was read as follows:

"State of MASSACHUSETTS-BAY. In the Houſe of Repreſentatives, December 12, 1777.

Whereas the honourable John Hancock, Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry, Francis Dana, and James Lovell, eſquires, have been choſen by joint ballot of the two houſes of this aſſembly to repreſent the ſtate aforeſaid in the American Congreſs for one year, to commence on the firſt day of January next enſuing:

Reſolved, That the above named gentlemen be and they hereby are fully empowered, with other delegates from the American States for the term above-mentioned, to concert, direct and order ſuch further meaſures as to them

them ſhall appear beſt calculated for the eſtabliſhment of right, liberty and independence to the American States, upon a baſis permanent and ſecure, for proſecuting with vigour the preſent juſt and neceſſary war, concluding peace, contracting alliances, regulating commerce, and guarding againſt all encroachment and machinations of the enemies of the United States, and to adjourn to ſuch times and places as ſhall appear moſt conducive to the public ſafety and advantage: and it is further reſolved, that not leſs than three of the above mentioned gentlemen ſhall make a repreſentation of this ſtate; the majority of thoſe preſent, after conſultation, to give the voice of the ſtate, notwithſtanding it is expected that five of them will attend as generally as may be. Sent up for concurrence,

"J. WARREN, Speaker.

"In Council, December 13, 1777. Read and concurred,

"JOHN AVERY, Deputy Secretary."

A letter of the 2d from general Waſhington, with copies of letters between him and general Conway, were read:

Ordered, That they be referred to the board of war.

A letter of the 15th of December laſt from Samuel A. Otis was read.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, *January* 8, 1778.

A letter of the 28th of December laſt from John Baynton, paymaſter at Fort Pitt, was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 16th of December laſt from the navy board at Bordenton was read:

Ordered, That it be referred to the marine committee.

The committee on the treaſury brought in a report; whereupon

Reſolved, That one million of dollars be emitted under the direction of the board of treaſury and on the faith of the United States:

That the bills ſhall, excepting the numbers, be of the ſame tenor and date as the emiſſion directed on the 3d day of December laſt, be numbered from the laſt number of each reſpective denomination of that emiſſion progreſſively,

greſſively, and conſiſt of the following denominations, viz.

15384	bills of the denomination	of 3 dollars,	46152
15384	do.	of 4 do.	61536
15384	do.	of 5 do.	76920
15384	do.	of 6 do.	92304
15384	do.	of 7 do.	107688
15385	do.	of 2 do.	30770
15385	do.	of 8 do.	123080
15385	do.	of 30 do.	461550
			1,000,000

That all powers and duties of Michael Hillegas, eſquire, and of the inſpectors of the preſs, ſigners and printers of the ſaid emiſſion, directed on the 20th day of May laſt, ſhall extend to the ſaid one million to be emitted, ſubject however to ſuch directions and inſtructions as the board of treaſury may judge expedient.

The marine committee, to whom was referred the letter of the 18th of November laſt from the navy board in the eaſtern department, brought in a report; whereupon

Reſolved, That conſidering the neceſſity of the caſe, the encouragement given by the ſaid board to man the ſhip Providence be approved:

That the bounties given to ſeamen by the reſolve of Congreſs of the 29th of March, 1777, is not to be ſtopped out of their wages, but deducted from their prize money, where any future prize money is obtained:

That the ſaid navy board be ſupplied with a number of blank commiſſions, and that they be empowered to grant commiſſions to officers not above the rank of lieutenants, where vacancies may happen, and the good of the ſervice abſolutely requires, that they ſhould be immediately filled, but not otherwiſe:

That the commiſſary general of purchaſes be directed to give an order upon the late commiſſary, J. Trumbull, for five hundred buſhels of ſalt, in favour of the navy board in the eaſtern department, unleſs they ſhould be already provided therewith.

Reſolved, That the remainder of the report be poſtponed.

The committee to whom was re-committed the report of the committee on the letters that paſſed between general Heath and lieutenant general Burgoyne to general Gates, brought in a report, which was read: *Three*

Three o'clock, P. M.

Congreſs took into conſideration the report of the committee read juſt before the adjournment this morning, which was as follows:

"That they have conſidered with mature attention the convention entered into at Saratoga betwixt major general Gates and lieutenant general Burgoyne in October laſt, and find numbers of the cartouch boxes, and ſeveral other articles of military accoutrements, annexed to the perſons of the non-commiſſioned officers and ſoldiers, in general Burgoyne's army, have not been delivered up, and that agreeably to the ſpirit of the convention, and the technical interpretation of the word "arms," they ought to have been delivered up:

This opinion is warranted not only by the judgment of the moſt approved writers, but by the interpretation and practice of Britiſh officers in ſimilar caſes in the courſe of the preſent war, particularly in the capitulation of St. John's on the 2d of November, 1775:

Your committee farther report, that there are ſo many other circumſtances attending the delivery of the arms and military ſtores, which excite ſtrong ſuſpicions, that the convention has not been ſtrictly complied with on the part of general Burgoyne, agreeably to its true ſpirit and intention of the contracting parties, and ſo many inſtances of former fraud in the conduct of our enemies, as to juſtify Congreſs, however cautious, to avoid even the ſuſpicion of want of good faith, in taking every meaſure for ſecuring the performance of the convention, which did not impoſe any new condition nor tend to delay its execution. Of this nature your committee conſider the reſolution of Congreſs of the 8th of November laſt, directing general Heath "to cauſe to be taken down the name and rank of every commiſſioned officer, and the name, former place of abode, occupation, ſize, age and deſcription of every non-commiſſioned officer and private ſoldier, and all other perſons comprehended in the convention of Saratoga."

This cannot be conſidered as impoſing any new condition, but as a meaſure naturally reſulting from the articles of convention, which the conquering party has a right to avail itſelf of, and which is ſtrictly juſtifiable had no juſt ſuſpicion of the want of good faith in the party ſurrendering preſented itſelf. Your committee are

of

of opinion, that the reaſons, which general Burgoyne adduces for refuſing a compliance, are inapplicable to the caſe, and they beg leave to obſerve, that he is totally miſtaken in his appeal to the conduct of ſir Guy Carleton and himſelf with reſpect to the priſoners releaſed from Canada in Auguſt 1776: for notwithſtanding his expreſs declaration to the contrary in his letter of the 23d of November laſt, to general Heath, it appears from the original liſt of the priſoners releaſed from Canada, which is herewith preſented, that the provinces, counties and towns, to which the priſoners releaſed belonged, were annexed to their reſpective names, which, for the greater ſecurity of the conquering party, were in the hand writing of the reſpective priſoners. Your committee therefore cannot but conſider general Burgoyne's refuſal to give deſcriptive liſts of the non-commiſſioned officers and ſoldiers belonging to his army, when connected with his former conduct and ill-grounded aſſertion on this occaſion, in an alarming point of view; more eſpecially when they conſider that nine days previous to this refuſal, he had, without juſt cauſe given, declared in a letter to general Gates, that the public faith, plighted in the convention of Saratoga, was broken on the part of theſe ſtates:

This charge of a breach of public faith is of a moſt ſerious nature, pregnant with alarming conſequences, and deſerves greater attention, as it is not dropped in a haſty expreſſion dictated by ſudden paſſion, but is delivered as a deliberate act of judgment, committed to writing and ſent to the general with whom he made the convention; and if credit is to be given to general Burgoyne's account of himſelf in his letter to general Heath of the 23d of November he cannot be conſidered; "of ſo light a character as to have acted in a ſerious matter of ſtate upon a ſudden impreſſion."

The reaſon on which he grounds this charge is that the officers included in the convention have not, ſince their arrival in Maſſachuſetts-Bay, been accommodated with quarters agreeable to their reſpective ranks: on which your committee beg leave to obſerve, that though from the ſudden and unexpected arrival of ſo large a body of troops; the concourſe of ſtrangers in and near Boſton; the devaſtation and deſtruction occaſioned by the Britiſh army not long ſince blocked up in that town, and by the Ame-

rican army which beſeiged them; and conſidering that the officers were not to be ſeparated from their men, and that the troops could not be quartered with equal convenience in any other place within the limits pointed out and deſcribed in the convention, as there are not a ſufficient number of barracks in any other part of that ſtate; though from theſe and many other unavoidable circumſtances the accommodation of general Burgoyne and his officers might not be ſuch as the public could wiſh or be expect, yet his charge of a breach of the public faith on this account is not warranted either by the letter of the preliminary articles agreed on between himſelf and general Gates on the 14th day of October, or by the ſpirit of the convention ſigned on the 16th of the ſame month; ſince by an examination of theſe articles it will appear, that the ſtipulation with reſpect to the quartering of officers was not to be conſtrued in that rigorous ſenſe in which general Burgoyne affects to conſider it, but on the contrary that it was "agreed to as far as circumſtances would admit."

Your committee forbear to lay any ſtreſs on the attempt of the enemy to alter the place of embarkation from the port of Boſton to that of Rhode-Iſland or the Sound, ſo contiguous to the port of New-York, which, as well as that of Rhode-Iſland, is at preſent in their poſſeſſion—on the ſeemingly inadequate number of veſſels (being only twenty-ſix tranſports ſent to Rhode-Iſland as appears in a letter from general Pigot to general Burgoyne, dated the 5th of December,) for an army conſiſting of five thouſand ſix hundred and forty-two men, in a winter's voyage to Europe; or on the improbability of the enemy's being able, on ſo ſhort a notice, to victual ſuch a fleet and army for a voyage of ſuch length; ſince the declaration of lieutenant general Burgoyne, "that the public faith is broke," is of itſelf ſufficient to juſtify Congreſs in taking every meaſure for ſecuring the performance of the convention, which the laws of nations in conſequence of this conduct will warrant.

Theſe facts and opinions your committee, in a matter of ſuch high moment to the honour and ſafety of theſe ſtates, eſteem it their duty to report ſpecially; and conſidering that general Burgoyne has not fully complied with the convention of Saratoga, particularly in not de-

livering up the cartouch boxes and accoutrements; that he has expreſſly and without juſt foundation charged theſe ſtates with a breach of public faith; that in conſequence of this declaration, whilſt in our power, he may deem himſelf and the army under him abſolved from their compact, and may therefore have refuſed compliance with a meaſure naturally reſulting from the convention, and which only tended to render his officers and men inſecure in caſe the convention on their part was not complied with; conſidering farther, that, from the diſtance between America and Great-Britain, there is no opportunity of accommodating this diſpute in any reaſonable period of time with the ſovereign of the ſtate in behalf of which this convention was made, and that the operations of general Burgoyne's army in America would not only defeat the main object of the convention, but prove highly prejudicial to the intereſts of theſe ſtates; your committee ſubmit the whole to the conſideration of Congreſs, in order that ſuch meaſures may be adopted as are conſiſtent with the ſafety and honour of the United States."

Whereupon Congreſs came to the following reſolutions:

Reſolved, That as many of the cartouch boxes and ſeveral other articles of military accoutrements annexed to the perſons of the non-commiſſioned officers and ſoldiers included in the convention of Saratoga have not been delivered up, the convention on the part of the Britiſh army has not been ſtrictly complied with;

Maſſachuſetts-Bay,	Mr. Dana,	*declined voting,*	*
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*no*
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*divided*
	Mr. Clark,	*no*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. J. B. Smith,	*ay*	
	Mr. Clingan,	*ay*	
	Mr. James Smith,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*divided*
	Mr. Harvie,	*no*	

North-Carolina,

North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
Georgia,	Mr. Langworthy,	*ay*	*ay*
	Mr. Wood,	*ay*	

So it paſſed in the affirmative.

Reſolved, That the refuſal of lieutenant general Burgoyne to give deſcriptive liſts of the non-commiſſioned officers and privates belonging to his army, ſubſequent to his declaration that the public faith was broke, is conſidered by Congreſs in an alarming point of view; ſince a compliance with the reſolution of Congreſs could only have been prejudicial to that army in caſe of an infraction of the convention on their part.

Reſolved, That the charge made by lieutenant general Burgoyne in his letter to major general Gates of the 14th of November, of a breach of the public faith on the part of theſe ſtates, is not warranted by the juſt conſtruction of any article of the convention of Saratoga; that it is a ſtrong indication of his intention; and affords juſt ground of fear that he will avail himſelf of ſuch pretended breach of the convention, in order to diſengage himſelf and the army under him of the obligation they are under to theſe United States; and that the ſecurity, which theſe ſtates have had in his perſonal honour, is hereby deſtroyed.

Reſolved therefore, That the embarkation of lieutenant general Burgoyne and the troops under his command, be ſuſpended till a diſtinct and explicit ratification of the convention of Saratoga ſhall be properly notified by the court of Great-Britain to Congreſs.

Adjourned to ten o'clock to-morrow.

FRIDAY, *January* 9, 1778.

The committee on the treaſury brought in a report; whereupon

Ordered, That twenty thouſand dollars be advanced to John Baynton, paymaſter at Fort Pitt, for the payment of the troops in the weſtern department; the ſaid ſum to be delivered to major Ewing, to be conveyed to the ſaid paymaſter, who is to be accountable:

That a warrant iſſue on Thomas Harwood, eſquire, commiſſioner of the loan-office in the ſtate of Maryland,

for

for ſix thouſand four hundred and ninety-two dollars and 66-90ths, in favour of Gordon and Patton, ſadlers, in diſcharge of colonel George Baylor's order of the 27th of December laſt, for that ſum, in their favour, for equipping his regiment of light dragoons; the ſaid colonel Baylor to be accountable.

The committee appointed to take into conſideration the letter of the 2d from the council and aſſembly of the ſtate of Pennſylvania brought in a report, which was read.

The committee to whom were referred the letters from William Buchanan, commiſſary general, and E. Blaine, deputy commiſſary general of purchaſes, brought in a report, which was read.

Three o'clock, P. M.

Congreſs reſolved itſelf into a committee of the whole, to conſider the report of the committee on the propoſitions of the committee lately ſent to camp, and after ſome time ſpent thereon the preſident reſumed the chair and Mr. F. L. Lee reported, that the committee of the whole Congreſs have had under conſideration the matter to them referred, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That to-morrow Congreſs be reſolved into a committee of the whole, to conſider farther the report of the committee on the propoſition from the committee lately ſent to camp.

Adjourned to ten o'clock to-morrow.

SATURDAY, *January* 10, 1778.

A letter of the 24th and 28th of December from brigadier Hand at Fort Pitt to the board of war, and one of the 9th from W. Palfrey, paymaſter general, to the board of treaſury, were laid before Congreſs and read:

A letter of the 2d from general Waſhington at Valley Forge was read, recommending major Clark to the notice of Congreſs:

Ordered, That the letters from general Waſhington and brigadier Hand be referred to the board of war.

Reſolved, That his excellency governor Henry be requeſted to enquire of Gabriel Jones and John Walker, eſquires, two of the commiſſioners appointed to repair without

without delay to Fort Pitt, agreeably to a reſolution of the 20th of November laſt, whether they accept the appointment, and if they or either of them decline, to appoint a proper perſon or perſons in his or their ſtead, who ſhall enter on the buſineſs without delay.

Congreſs proceeded to the election of two auditors to audit and ſettle the public accounts in the main army, and the ballots being taken,

Matthew Clarkſon and John Clark, eſquires, were elected.

Ordered, That the letter from W. Palfrey be referred to the board of treaſury.

The committee on the treaſury brought in a report; whereupon

Ordered, That two hundred and ſeventy-ſix dollars and 45-90ths be advanced to John Penn, eſquire, delegate from the ſtate of North-Carolina, and charged to the ſaid ſtate, as part of the five hundred thouſand dollars appropriated for the uſe of the ſaid ſtate:

That a warrant iſſue on John Gibſon, auditor general, for five hundred dollars, in favour of William Palfrey, eſquire, paymaſter general, for which he is to be accountable:

That forty dollars be paid to monſieur Lotbinier, a Canadian chaplain, for his pay due this day:

That five hundred dollars be advanced to captain William Scott, for the pay and to purchaſe blankets for the uſe of his company, belonging to one of the ſixteen battalions, commanded by colonel Thruſton; the ſaid captain Scott to be accountable.

Three o'clock, P. M.

The committee to whom was referred the motion for appointing a committee of Congreſs to repair to camp, brought in a report, which was taken into conſideration, and thereupon Congreſs came to the following reſolution:

Whereas it is eſſential to the promotion of good diſcipline and œconomy in the army of theſe ſtates, that the moſt ſpeedy and effectual meaſures ſhould be adopted for reducing the number of regiments in the continental ſervice, and for reforming the abuſes which have too long prevailed in the different departments belonging to the army:

Reſolved,

Resolved, That three members of Congress, together with three members of the board of war, be appointed a committee to repair to general Washington's head quarters as soon as may be, and in concert with him to form and execute a plan for reducing the number of battalions in the continental service, reporting to Congress the names and ranks of such officers of merit now in the service as cannot be annexed to the battalions retained on the establishment, taking particular care in the appointment of officers to these battalions not to annex officers belonging to one state, to the battalions raised by another state—to recommend to Congress the necessary appointments of general officers—to remove officers in the civil departments of the army for misconduct, negligence or incompetency, and to appoint others in their room, till the pleasure of Congress can be known—to remove all just causes of complaint relative to rank, confining it as nearly as possible to the military line—to report upon the expediency of appointing brigade instead of regimental chaplains, and also to remove from office any chaplain for ignorance or negligence in the duties of his office or for immoral conduct—to determine and report as soon as may be to Congress their opinion of the necessary reinforcements for the cavalry, artillery and infantry, and the best mode of obtaining them—to report such alterations as they shall deem expedient in the regulations of the several departments, and in general to adopt such other measures as they shall judge necessary for introducing œconomy and promoting discipline and good morals in the army.

The members of Congress chosen Mr. Dana, Mr. Reed and Mr. Folsom.

Adjourned to ten o'clock on Monday.

MONDAY, *January* 12, 1778.

The president laid before Congress a packet containing blank papers, which he informed Congress he received yesterday from a John Folger, who says he was sent by the commissioners at Paris with dispatches to Congress:

Ordered, That Mr. Dana and the board of war examine the said John Folger respecting this packet.

Congress proceeded to the election of three members of the board of war to join the three members of Con-

gress

greſs and proceed to camp, for the purpoſes mentioned in the reſolution paſſed on Saturday, and the ballots being taken,

Major general Gates, major general Mifflin, and colonel Pickering, were elected.

Reſolved, That another member of Congreſs be added to the foregoing committee;

The member choſen Mr. Harvie.

A letter of the 10th from Samuel and Robert Purviance at Baltimore was read.

Three o'clock, P. M.

The committee appointed to examine J. Folger, reſpecting the diſpatches with which he was charged by the commiſſioners at Paris, laid before Congreſs his examination, reduced to writing which was read; whereupon

Ordered, That the preſident inform governor Caſwell of North-Carolina of the purport of the ſaid examination, and requeſt him to examine the perſons who came over in the veſſel with J. Folger, and inform Congreſs of every circumſtance that may come to his knowledge reſpecting the ſaid diſpatches:

That the board of war be directed to confine the ſaid John Folger in cloſe priſon, till advice can be received from governor Caſwell or till farther orders from Congreſs.

Reſolved, That copies of the report of the committee on the letters that paſſed between general Heath and general Burgoyne, and general Burgoyne's letter to general Gates, together with the reſolutions of Congreſs thereon, ſigned by the preſident and atteſted by the ſecretary, be tranſmitted to the ſeveral ſtates, to general Waſhington, and two copies to major general Heath, who is directed to furniſh lieutenant general Burgoyne with one of them; and to order the veſſels which may have arrived, or which ſhall arrive for the tranſportation of the army under lieutenant general Burgoyne, to quit without delay the port of Boſton.

Reſolved, That the council of Maſſachuſetts-Bay be requeſted to afford general Heath the neceſſary aſſiſtance for immediately increaſing the guards placed over the troops of general Burgoyne, to the number, if they judge proper, of fifteen hundred or more, and that they be not reduced until the tranſports of the enemy ſhall have left the port of Boſton, and ſo long afterwards as the council ſhall judge neceſſary.

Whereas

Whereas Congreſs have received information that a ſloop named the Pennſylvania Farmer is arrived at Baltimore from Curracoa, with a load of ſalt, the property of Mr. Gerardus Beekman, a citizen of the ſtate of New-York, but now with the enemy in the city of Philadelphia: and whereas the delegates repreſenting the ſtate of New-York have applied for the interpoſition of Congreſs that proper meaſures might be taken for ſeizing the ſalt; and whereas the public ſervice will ſuffer the moſt material injury if the moſt expeditious meaſures are not adopted for ſecuring this cargo for the uſe of the United States:

Reſolved, That the governor and council of the ſtate of Maryland be deſired forthwith to take meaſures for ſecuring the ſaid ſalt for the uſe of the United States, and to cauſe the ſame, without delay, to be delivered to the commiſſary general of purchaſes or any of his deputies; and in caſe the information given to Congreſs ſhould be ill founded, and that the cargo above mentioned ſhould be *bona fide* the property of any faithful citizen of theſe ſtates, or of any foreigner, that the governor and council of the ſtate of Maryland be deſired to ſeize the ſame, as well as all other quantities of ſalt, and to cauſe the ſame to be delivered agreeably to the directions above mentioned.

Adjourned to ten o'clock to-morrow.

TUESDAY, *January* 13, 1778.

A letter from monſieur de la Balme; one of the 13th of December laſt from colonel la Radiere, with a memorial from the ſame; one of the 6th of December from baron Steuben, at Portſmouth in New-Hampſhire, with ſundry letters recommending him to Congreſs; one of the 10th inſtant from James Meaſe at Lancaſter; one of the 18th of December from lieutenant colonel Campbell, a priſoner at Concord in the ſtate of Maſſachuſetts-Bay; one of the 17th and one of the 25th of December laſt from general Heath; alſo one of the 4th, one of the 5th, and one of the 9th from general Waſhington; and one of the 10th from captain Barry, attending in York-Town; were read:

Ordered, That the letter from monſieur de la Balme, the letter and memorial from colonel Radiere, the letter from lieutenant colonel Campbell, and the letter of the 5th and that of the 9th from general Waſhington, be referred to the board of war:

That the letter from Mr. Meaſe be referred to the board of treaſury, and the letter from captain Barry to the marine committee.

Whereas the declaration of lieutenant general Burgoyne, in his letter of the 14th of November laſt, to major general Gates, "that the public faith is broke on the part of theſe ſtates, and other reaſons ſet forth in the reſolutions of Congreſs of the 8th of January inſtant, compelled Congreſs to adopt meaſures for ſecuring the performance of the convention of Saratoga on the part of the court of Great-Britain, whereby the embarkation of lieutenant general Burgoyne's army has been neceſſarily ſuſpended; and whereas the ſubſiſtance of that army in the ſtate of Maſſachuſetts-Bay is not only extremely burthenſome to theſe ſtates, but tends greatly to diſtreſs the inhabitants of the country wherein they are quartered, and it is contrary to the principles of juſtice, that theſe ſtates ſhould ſuffer inconveniencies from the conduct of lieutenant general Burgoyne, which could not be foreſeen at the time when the convention of Saratoga was entered into:

Reſolved, That general Waſhington be directed again to require of general Howe proper paſſports for veſſels to tranſport to Boſton ſalted meat, flour and fuel, neceſſary for the ſubſiſtance of lieutenant general Burgoyne's army, during the time they ſhall be neceſſarily detained in the ſtate of Maſſachuſetts-Bay, in conſequence of the reſolutions of Congreſs of the 8th of January inſtant; and that general Howe be informed that in caſe of his refuſal to comply with this juſt requeſt, theſe ſtates will not deem themſelves anſwerable for ſubſiſting general Burgoyne's army agreeably to the terms of the convention of Saratoga; but ſhall think themſelves at liberty to remove or ſeparate the ſaid army to ſuch parts of the ſtate of Maſſachuſetts-Bay as they may be conveniently ſubſiſted in, till the convention of Saratoga ſhall be ratified by the court of Great-Britain and properly notified to Congreſs.

Three o'clock, P. M.

The committee on the treaſury brought in a report, which was taken into conſideration; whereupon

Reſolved, That William Palfrey, eſquire, paymaſter general, be directed to order William Bedlow, his aſſiſtant at Peekſkill, to pay up the troops there to the 31ſt of December

cember laſt; and that Jonathan Trumbull, junior, eſquire, deputy paymaſter general, be directed to pay from that time all the troops under the command of any officer or officers in the northern department or ſtate of New-York:

That the paymaſter general be impowered to appoint an aſſiſtant in his office and a clerk for ſix months, in addition to one already employed by him:

That ſeventy dollars a month and two rations a day be hereafter allowed to each aſſiſtant, and fifty dollars a month to each clerk, in the office of the paymaſter or deputy paymaſter general.

The board of war, to whom was referred the letter of the 20th of December from general Spencer, brought in a report; whereupon

Reſolved, That it be earneſtly recommended to the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Connecticut, immediately to furniſh and keep up conſtantly in the ſtate of Rhode-Iſland and Providence Plantations, for the defence of the ſaid ſtate, their ſeveral quotas of troops, as adjuſted by the reſolution of a committee from the ſaid ſtates and the ſtate of New-York, which met at Springfield the 30th of July laſt:

That a deputy quartermaſter general, a deputy adjutant general, a deputy muſtermaſter general, and a deputy commiſſary general of iſſues, be appointed to act *pro tempore* for the troops aforeſaid: that the deputy commiſſary general of iſſues be appointed by the council of war of the ſtate of Rhode-Iſland and Providence Plantations; that the deputy quartermaſter general, deputy adjutant general, and deputy muſtermaſter general, be appointed by the officer commanding at that poſt; and that each of the foregoing officers take the oath of fidelity and office required before they enter upon the execution of their reſpective offices:

That general Spencer, or the commander of the forces aforeſaid, be informed, that if proviſions cannot be procured at reaſonable rates, and he ſhall be obliged to impreſs them, he ſhall direct certificates to be granted, promiſing payment at ſuch rates as ſhall be ſettled by the convention of committees to meet at New-Haven the 15th inſtant, in purſuance of a reſolution of Congreſs of the 22d of November laſt; and that this reſolution have reſpect as to all accounts not liquidated for proviſions

or

or ſervices ſupplied or performed to the 1ſt day of November which are to be paid at the convention prices, and all other unliquidated accounts for ſervices or proviſions ſupplied or performed ſince that period to the date of this reſolution to be paid for at the prices for which they are contracted.

Reſolved, That general Spencer's reſignation, for the reaſons offered by him in his letter of the 20th of December, be accepted, when he ſhall be relieved from his preſent command by a ſuitable officer of the rank of a major general, who is to be immediately ſent to take the command of the troops raiſed for the defence of the ſtate of Rhode-Iſland and Providence Plantations.

Reſolved, That ſuch parts of the letter from general Spencer as relate to money be referred to the board of treaſury, alſo that part relating to his allowance as in a ſeparate department.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *January* 14, 1778.

Reſolved, That two members be added to thoſe who at preſent conduct the buſineſs of the board of war, till the commiſſioners for that purpoſe appointed can meet;

The members choſen Mr. Langworthy and Mr. J. B. Smith.

Congreſs took into conſideration the report of the committee on the letters from W. Buchanan and E. Blaine; whereupon

Reſolved, That the order of the commiſſary of priſoners ſhall be a ſufficient voucher to the commiſſary or deputy commiſſary general of purchaſes, for the delivery of proviſions for the uſe of the priſoners of war.

Reſolved, That by the reſolution of the 22d of October, 1777, the commiſſary general of purchaſes is inveſted with powers adequate to and ſufficient for the purpoſe of importing ſalt for the uſe of the army.

Reſolved, That the powers and directions contained in the reſolution aforeſaid, for procuring ſalt, be extended to the article of rum for the army.

Ordered, That the farther conſideration of the report be poſtponed till the afternoon.

Three o'clock, P. M.

Reſolved, That the board of war of the ſtate of Maſſachuſetts-Bay be requeſted to import from the middle or ſouthern

thern department fifteen thouſand barrels of flour, to ſupply the magazines of the eaſtern diſtrict for the next campaign, over and above what may be imported by the deputy commiſſary general of purchaſes for that purpoſe; and deliver the ſame to the deputy commiſſary general of iſſues or his deputies, there to be depoſited, agreeably to the orders of the commanding officer in that diſtrict and that compenſation be made to the board for their trouble herein:

That the ſaid board be empowered to purchaſe, charter or hire on freight, as they may judge moſt for the intereſt of theſe ſtates, veſſels for this purpoſe, and draw on Congreſs for the money to purchaſe the flour, or on W. Aylett, eſquire, deputy commiſſary general of purchaſes in Virginia, for ſo much of the flour as they may order to be ſhipped from Virginia: that if the whole quantity of flour cannot be readily obtained, the board be impowered to make up the deficiency by importing rice from South-Carolina.

Ordered, That a warrant for fifty thouſand dollars be drawn on the commiſſioner of the loan-office in the ſtate of Maſſachuſetts-Bay, in favour of the ſaid board of war, for the purpoſe mentioned in the foregoing reſolution.

The commiſſioners of claims report,

That there is due to doctor John Houſton, for his and his aſſiſtant's pay, while they acted in a battalion of York county aſſociators, commanded by colonel Donaldſon, as per brigadier Mercer's orders to R. Dallam, paymaſter, ſixty-three dollars and 45-90ths:

To the honourable Eliphalet Dyer, for the expences of a committee of Congreſs ſent to the aſſembly of the ſtate of Pennſylvania on public buſineſs, one hundred and twenty-ſeven dollars and 39-90ths:

To the honourable Elbridge Gerry, for the expences of himſelf and Mr. Jones on a committee to confer with general Waſhington, one hundred and forty-five dollars and 78-90ths:

To captain Ephraim Pennington, for the pay of a detachment of York county militia, raiſed for the purpoſe of guarding public ſtores in the town of York, by order of the board of war, ſix hundred and forty-ſix dollars and 67-90ths:

Ordered, That the ſaid accounts be paid.

Whereas baron Steuben, a lieutenant general in foreign ſervice, has in a moſt diſintereſted and heroic manner offered his ſervices to theſe ſtates in the quality of a volunteer;

Reſolved,

Reſolved, That the preſident preſent the thanks of Congreſs in behalf of theſe United States to baron Steuben, for the zeal he has ſhewn for the cauſe of America, and the diſintereſted tender he has been pleaſed to make of his military talents; and inform him, that Congreſs cheerfully accept of his ſervice as a volunteer in the army of theſe ſtates, and wiſh him to repair to general Waſhington's quarters as ſoon as convenient.

Congreſs reſumed the conſideration of the report of the committee on the letters from W. Buchanan and E. Blaine; whereupon

Reſolved, That a deputy commiſſary general of purchaſes be appointed for the middle diſtrict, in addition to E. Blaine, and that the commiſſary general of purchaſes, after conſulting with Mr. Blaine, be directed to aſſign the part of the diſtrict in which the additional deputy commiſſary general ſhall act.

Reſolved, That the commiſſary's ſyſtem be referred to a committee of three, and that they be directed to reviſe the ſame, and to report ſuch alterations therein as they ſhall deem beſt calculated to anſwer the end of its inſtitution;

The members choſen Mr. Clark, Mr. J. B. Smith and Mr. Gerry.

Reſolved, That general Heath be directed to appropriate to the uſe of the troops in the continental ſervice, and of the priſoners in the eaſtern diſtrict, ſuch of the ſalted proviſions there belonging to the United States as cannot be preſerved for the next campaign.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of Maryland, for ten thouſand dollars, in favour of the marine committee, to anſwer a demand made by Samuel and Robert Purviance, continental agents in Baltimore; the ſaid committee to be accountable.

Reſolved, That Ebenezer Hancock, eſquire, deputy paymaſter general of the eaſtern diſtrict, be directed to appoint forthwith an aſſiſtant paymaſter conſtantly to attend and pay the army ſtationed in or near Providence for the defence of Rhode-Iſland and Providence Plantations, applying to Congreſs from time to time for the neceſſary ſupplies of money for the ſame; and that the commanding officer in the ſaid ſtate be fully empowered

ered to draw on the ſaid aſſiſtant paymaſter for the neceſſary ſupplies of the army aforeſaid.

Ordered, That three hundred and fifty thouſand dollars be advanced to the board of war, of which they are to tranſmit one hundred thouſand dollars to Ebenezer Hancock, deputy paymaſter general at Boſton, and two hundred and fifty thouſand dollars to his aſſiſtant in the ſtate of Rhode-Iſland and Providence Plantations; the ſaid Ebenezer Hancock to be furniſhed with a copy of this order, and to be accountable for the whole ſum.

Ordered, That ſeven hundred thouſand dollars be advanced to the board of war, to be by them tranſmitted, five hundred thouſand dollars to William Palfrey, paymaſter general, and two hundred thouſand dollars to William Bedlow, his aſſiſtant at Peeks kill; the ſaid paymaſter general to be accountable.

Reſolved, That general Heath be informed, it is the intention of Congreſs that officers in the departments of the commiſſary, quartermaſter or cloathier general, ſhould receive the money required by them to make the neceſſary purchaſes, by applying to the officers at the head of the reſpective departments, and that he make no advances in future to any of them, unleſs it ſhall be abſolutely neceſſary, in which caſe he is to inform the board of treaſury of the ſums advanced and the particular circumſtances of the caſe.

Ordered, That four thouſand dollars be advanced to William Palfrey, paymaſter general, for the uſe of the North-Carolina light horſe; the ſaid paymaſter general to be accountable.

Adjourned to ten o'clock to-morrow.

THURSDAY, *January* 15, 1778.

Reſolved, That a committee of three be appointed to take into conſideration the ſtate of Georgia;

The members choſen Mr. Harnett, Mr. F. L. Lee and Mr. Dyer.

The committee appointed, in conjunction with the board of war, to take into conſideration the neceſſity and propriety of laying up magazines of proviſions for the army, brought in a report, which was read and debated, and ſundry amendments made; after which it was moved in lieu of the whole,

"That the board of war be directed to write immediately

ately to the president of the executive council of the state of Pennsylvania on the subject of purchasing flour for the army and laying up magazines, and if it should appear that the said state have taken effectual measures for procuring the same, that the board of war direct the transportation thereof to the army or such magazines as they may think proper; but if such measures have not been taken for that purpose, as the board of war may think will be certain and effectual, then the board of war to appoint suitable persons to execute that business:

New-Hampshire,	Mr. Folsom,	*ay*	*ay*
	Mr. Frost,	*ay*	
Massachusetts-Bay,	Mr. Gerry,	*no*	*no*
	Mr. Dana,	*no*	
	Mr. Lovell,	*no*	
Rhode-Island,	Mr. Elle y,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	*ay*
New-York,	Mr. Lewis,	*no*	*no*
	Mr. Duer,	*no*	
New-Jersey,	Mr. Witherspoon,	*ay*	*ay*
	Mr Clark,	*ay*	
Pennsylvania,	Mr. J B. Smith,	*ay*	*ay*
	Mr. Clingan,	*ay*	
	Mr. James Smith,	*ay*	
Virginia,	Mr. F. L. Lee,	*no*	*no*
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Langworthy,	*no*	*no*
	Mr. Wood,	*no*	

So it passed in the negative.

Three o'clock, P. M.

Congress proceeded on the report of the committee under debate in the forenoon; whereupon

Resolved, That one or more proper persons be immediately employed by the board of war, on the best terms in their power, to purchase thirty thousand barrels of flour, or wheat equivalent, and have it ground into flour, and to deposit twelve thousand barrels, part thereof at or near Lancaster, eight thousand barrels at or near Reading, six thousand barrels at or near Bethlehem, two thousand barrels at Downing-Town, and two thousand barrels at Pottsgrove:

That

That the commiſſioner or commiſſioners, employed to execute this buſineſs, have full power and authority to employ all mills, millers and coopers neceſſary, on the beſt terms they can, to compleat the ſaid quantity of flour with all poſſible expedition:

That the commiſſioner or commiſſioners be impowered to hire or impreſs waggons ſufficient to make the neceſſary tranſportation of the flour to the places where it is to be depoſited, and to pay the hire of the ſaid waggons, at the ſame rate paid by the quartermaſter general:

That the board of war be impowered to limit the prices to be given for the ſaid wheat and flour, and to give ſuch orders and directions to the commiſſioners as they ſhall think proper or neceſſary from time to time: provided, that no limitation to be made by the board of war, with reſpect to price, ſhall contravene any acts of the legiſlature of Pennſylvania, or any of the regulations which may be made hereafter by the convention of committees which is to meet at New-Haven in Connecticut on this 15th day of January:

That theſe magazines, being eſtabliſhed without the interference of the commiſſary general or his officers, ſhall when neceſſary be ordered under the direction of the iſſuing commiſſary general by the board of war:

That general Waſhington be directed to ſupport the commiſſioners in the execution of their duty with military force if neceſſary:

That the board of war be impowered to direct the ſaid commiſſioners to purchaſe any fat cattle and ſalted meat they may meet with in their tours through the country, on the beſt terms in their power, and deliver the ſame to the commiſſary-general of iſſues or his deputies, taking their accountable receipts for what they ſo deliver:

That the board of war enquire of his excellency Thomas Wharton, eſquire, preſident of the council of the ſtate of Pennſylvania, what meaſures have been taken by the legiſlature of that ſtate for laying up magazines for the army; and if it ſhould appear to the board, after ſuch enquiry, that meaſures for that purpoſe have been taken adequate to the preſent critical ſituation of the army with reſpect to ſupplies, they be authoriſed and directed to ſuſpend the execution of the whole or ſuch parts of the foregoing reſolutions as they ſhall deem moſt conducive to the general weal.

The board of war brought in a report; whereupon

Resolved, That the board of war be authorised to direct colonel Flower to make a contract with Mr. Whitehead Humphreys, on the terms of the former agreement or such other as colonel Flower shall deem equitable, for making a quantity of steel, for the supply of the continental artificers and works with that necessary article; and as the iron made at the Andover works only will with certainty answer the purpose of making steel, that colonel Flower be directed to apply to the government of New-Jersey to put a proper person in possession of these works, (the same belonging to persons who adhere to the enemies of these states) upon such terms as the government of the state of New-Jersey shall think proper; and that colonel Flower contract with the said person for such quantity of iron as he shall think the service requires.

Resolved, That a letter be written by the board of war to the governor and council of the state of New-Jersey, setting forth the peculiarity of the demand for these works, being the only proper means of procuring iron for steel, an article without which the service must irreparably suffer; and that the said governor and council be desired to take such means as they shall think most proper for putting the said works in blast and obtaining a supply of iron without delay.

Resolved, That the memorial of the chevalier Armand be referred to the committee appointed by Congress to repair to camp for the reformation of the army:

That the letter from colonel Alexander Scammel to general Folsom, which was referred to the board of war, be referred to the committee appointed to reform the army; and that they be instructed to enquire, in their progress to camp, into the state of the cloathing department at Lancaster, and to take such measures for the relief of the New-Hampshire troops as shall be consistent with regard to the general wants of the army.

The board of war having reported, that, in pursuance of the resolution of Congress of the 8th of November last, they have entered into articles of agreement with Mr. Fouquet, the father and his son, and have engaged them in the service of the United States;

Resolved, That in compliance with the said agreement Mr. Fouquet the father have the brevet rank of captain, and Mark Fouquet the son the brevet rank of lieutenant,

of

of artillery in the army of the United States, and that their brevets bear date from the 17th of November laſt, the day the contract was entered into.

A memorial from W. Buchanan, commiſſary general of purchaſes, was read:

Ordered, That it be referred to the board of war.

A propoſition being laid before Congreſs for ſupplying the army with whiſkey, &c. at certain ſtipulated prices,

Ordered, That it be referred to the board of war, who are directed to report thereon.

Adjourned to ten o'clock to-morrow.

FRIDAY, *January* 16, 1778.

The board of war brought in a report, which was taken into conſideration, and after ſome time ſpent thereon,

Reſolved, That it be re-committed.

Three o'clock, P. M.

A letter of the 11th from governor Johnſon of Maryland was read:

Ordered, That it be referred to the board of war.

Congreſs took into conſideration the report of the committee on the letter of the 2d from the council and aſſembly of the ſtate of Pennſylvania; whereupon

Reſolved, That Congreſs highly applaud the riſing ſpirit of the inhabitants of Pennſylvania to regain the capital of their ſtate and drive out our cruel invaders; that Congreſs are ready and willing with all their power to cooperate with them for effecting this ſalutary purpoſe; that to this end the committee appointed to go to the camp be directed to conſult with the preſident and council of the ſtate of Pennſylvania, and with general Waſhington, on the ſubject, and if upon conſultation the meaſure ſhall be deemed practicable, that they be fully impowered to call upon the neighbouring ſtates for ſuch aids as they ſhall think neceſſary, and take every meaſure which they ſhall think proper for effecting the end propoſed.

Reſolved, That Mr. J. B. Smith be added to the committee for printing the journals of Congreſs.

Ordered, That the letter of the 18th of December from lieutenant colonel Campbell, which was referred to the board of war, be referred to the committee going to camp.

Ordered, That the letters of the general officers, which general Waſhington delivered to the committee lately ſent

to camp, and which were laid upon the table, agreeably to the order of Congreſs, for the peruſal of the members, be returned to the general by the committee now going to camp.

Adjourned to ten o'clock to-morrow.

SATURDAY, *January* 17, 1778.

Mr. Carroll and Mr. Forbes, two of the delegates from Maryland, attended and produced the credentials of their appointment, which were read as follows:

"By the General Aſſembly of the ſtate of MARYLAND, December 22d, 1777.

"Reſolved, That Samuel Chaſe, George Plater, Charles Carroll of Carrollton, Thomas Stone, James Forbes, and John Henry, junior, eſquires, or any two of them, be delegates to repreſent this ſtate in Congreſs, for and during the term of one year. By order,

"A. C. HANSON, C. S.
"G. DUVALL, C. H. D."

The committee on the treaſury brought in a report; whereupon

Reſolved, That ten million of dollars be borrowed on the credit of the United States, at an annual intereſt of ſix per cent. and that loan-office certificates of the following denominations be forthwith ſtruck, under the direction of the treaſury board, and ſigned by Michael Hillegas, eſquire, treaſurer, or Samuel Hillegas, and counterſigned by the reſpective commiſſioners who ſhall borrow the money, viz.

3333	certificates of 200 dollars each,		666600
3333	do.	of 300 do.	999900
3333	do.	of 400 do.	1333200
3333	do.	of 500 do.	1666500
3333	do.	of 600 do.	1999800
3334	do.	of 1000 do	3334000
			10,000,000

Reſolved, That the committee to whom was referred the letter from the council of ſafety of New-York, be diſcharged from that ſervice.

Adjourned to ten o'clock on Monday.

MONDAY,

MONDAY, *January* 19, 1778.

A letter of the 18th from W. Shippen junior, director general, and one of the 12th from Jonathan Hudſon at Baltimore, were read:

Ordered, That the laſt be referred to the board of treaſury.

Reſolved, That Mr. Forbes be added to the committee of commerce.

Reſolved, That a member from Maryland be elected for the marine committee;

The member choſen Mr. Forbes.

Reſolved, That four members be added to the board of treaſury, and that any three of the members form a board, and be impowered to proceed to buſineſs.

The members choſen Mr. Clark, Mr. Roberdeau, Mr. Forbes and Mr. Langworthy.

A petition from captain Durkee, lieutenant Spaulding, and Timothy Pierce, was read:

Ordered, That it be referred to the committee appointed to go to camp.

The committee on the treaſury brought in a report; whereupon

Ordered, That five hundred dollars be advanced to the board of war, at their requeſt, to enable them to ſend off the ſeveral ſums of money ordered by Congreſs to camp, to Albany, and to Boſton; the ſaid board to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due to a detachment of York county militia, commanded by captain Ephraim Pennington, apointed as guards to the public ſtores &c. in the town of York, for parts of rations retained by the iſſuing commiſſary, ſeventy-three dollars and 66-90ths:

Ordered, That the ſaid account be paid.

Congreſs reſumed the conſideration of the report of the marine committee of the 8th inſtant; whereupon

Reſolved, That officers of the navy, not in actual ſervice, be intitled to their pay but not to rations, nor to the ſubſiſtance money allowed by the reſolution of the 25th of July, 1777.

Congreſs took into conſideration the report of the committee on the allowance to be made to officers captured by the enemy: whereupon

Reſolved,

Reſolved, That all continental officers in the land ſervice who are or may be captured by the enemy be allowed their pay while in the enemy's poſſeſſion, and alſo when admitted on their parole for ſo long time as they continue to be officers of the United States and liable to be called into ſervice upon being releaſed from their captivity; and that their rations be allowed them during the term of their captivity; deducting therefrom ſuch ſupplies as they may in that time have received from the enemy, or from the commiſſary of priſoners:

That all flying camp and militia officers captured by the enemy, while in the ſervice of the United States, be allowed their pay while in the enemy's poſſeſſion; and alſo their rations during the term of their captivity, deducting therefrom ſuch ſupplies as they may in that time have received from the enemy or the commiſſary of priſoners; and alſo that pay be allowed to ſuch flying camp and militia officers, who have been or may be admitted to their parole for ſo long time as the ſoldiers under their reſpective commands were ordered into ſervice.

Three o'clock, P. M.

The board of war, to whom the memorial from W. Buchanan was referred, brought in a report; whereupon

Reſolved, That copies of the propoſals of W. Buchanan, commiſſary general of purchaſes, for eſtabliſhing a communication to tranſport proviſions from South-Quay on Albermarle Sound in the ſtate of North-Carolina, to Elkridge Landing at the Head of Potapſco in the ſtate of Maryland, be tranſmitted to the governors of North-Carolina, Virginia, and Maryland, and that it be earneſtly recommended to them forthwith to eſtabliſh a ſufficient number of waggons and boats, under the direction of active and careful perſons, for tranſporting weekly five hundred barrels of meal acroſs the communication in their reſpective ſtates as ſpecified in Mr. Buchanan's propoſals or on ſuch other as they ſhall deem more eligible, and to open proper roads, if neceſſary, for ſuch purpoſe.

Reſolved, That the ſaid governors be deſired to co-operate with each other in this matter, and to communicate from time to time to the board of war their opinions and proceedings relative thereto:

That the governors of the reſpective ſtates above mentioned be authoriſed to draw bills on the continental treaſury

fury for ſuch ſums as may be neceſſary for procuring waggons and proper boats for the purpoſe ſpecified in the foregoing reſolution.

A letter of the 6th from brigadiers M'Intoſh, Knox, Maxwell, Poor, Weedon, Huntington, Scott, Patterſon and Varnum, and a letter of the 12th from major general Greene reſpecting the promotion of general Conway, were read:

Ordered, to lie on the table.

A letter of the 31ſt of October laſt from Mr. Ferd: Joſeph Sebaſt. de Brahme, one of the 20th and one of the 31ſt of December from governor Clinton of New-York, and one of the 7th and 8th inſtant from governor Livingſton of New-Jerſey, were read:

Ordered, That they be referred to the board of war.

A letter of the 23d of December from J. Adams was read informing Congreſs of his accepting the office of commiſſioner to the court of France.

A letter of the 13th from general Waſhington was read, wherein he recommends the chevalier de Maduit du Pleſſis to be promoted to the rank of lieutenant colonel, adding that "the gallant conduct of this young gentleman at Brandywine, Germantown, and his diſtinguiſhed ſervices at fort Mercer, where he united the offices of engineer and commandant of artillery, entitle him to the particular notice of Congreſs;" that "he made ſeveral judicious alterations in the works at Red Bank, ſhewed great good conduct during the action, in which the Heſſians were repulſed; that after the evacuation was determined on he became the means of ſaving ſome valuable artillery and ſtores, and cheerfully undertook as volunteer the hazardous operation of blowing up the magazine &c. without apparatus uſually provided upon ſuch occaſions;" concluding in Mr. du Pleſſis favour "that he poſſeſſes a degree of modeſty not always found in men who have performed brilliant actions" whereupon

Reſolved, That a brevet of lieutenant colonel be granted to the chevalier de Maduit du Pleſſis, as a reward for his ſervices and an encouragement to merit; and that his commiſſion bear date the 26th of November, 1777, in order that the recompence may more immediately follow the ſervices which he has done.

Adjourned to ten o'clock to morrow.

TUESDAY,

TUESDAY, *January* 20, 1778.

Mr. Henry, a delegate from Maryland, and Mr. G. Morris, a delegate from New-York, attended and took their ſeats.

Ordered, That the members attending the buſineſs of the board of war enquire of general Gates whether he can go to camp agreeably to his appointment for the purpoſe expreſſed in the reſolution of the 10th inſtant, and when he can ſet out on that buſineſs.

The committee on the treaſury brought in a report; whereupon

Ordered, That three thouſand and twenty-two dollars and 61-90ths be paid to Whitehead Humphreys, being the balance of his account for ſteel furniſhed colonel B. Flower, commiſſary general of military ſtores, as appears by the certificate of Cornelius Sweer, Colonel Flower's deputy, and agreeably to a contract made by direction of the board of war; the ſaid commiſſary general to be accountable:

That two hundred dollars be advanced to William Dodd, an expreſs rider; he to be accountable.

That two hundred dollars be advanced to Lewalin Barry, an expreſs rider; he to be accountable.

Reſolved, That the reſolution paſſed yeſterday, reſpecting the pay of officers of the navy not in actual ſervice, be re conſidered.

The board of war laid before Congreſs a letter of the 8th from governor Livingſton, of New-Jerſey:

Ordered, That it be referred to the board of treaſury.

Three o'clock, P. M.

A letter of December the 29th from general Schuyler was read, wherein, among other things, he preſſes for a ſpeedy enquiry into his conduct, whereupon:

Ordered, That the committee appointed to enquire into the cauſes of the evacuation of Ticonderoga and Mount Independance, and into the conduct of the general officers in the northern department, proceed immediately on that buſineſs, and report on Monday next.

Reſolved, That Mr. Lovell be added to that committee, in the room of Mr. Dana, who is abſent.

A letter of the 12th from general Waſhington, and one of the 17th from brigadier Smallwood, reſpecting ſome captures made in the river Delaware, were read:

Ordered, That they be referred to the marine committee.

A letter of the 24th of December from S. A. Otis, deputy cloathier general at Boſton, was read:

Ordered, That it be referred to the board of treaſury.

A petition from ſundry inhabitants of the weſtern frontiers was read:

Ordered, That it be referred to the commiſſioners appointed to repair to the weſtern frontiers:

The members who conduct the buſineſs of the board of war reported to Congreſs ſundry reaſons aſſigned by general Gates, why the members of the board of war ought immediately to enter on the buſineſs of that department; whereupon

Reſolved, That general Gates, general Mifflin, and colonel Pickering, be excuſed from attending on the buſineſs mentioned in the reſolution of the 10th, and that general Mifflin, colonel Pickering, and colonel Trumbull, be directed to repair immediately to this place.

Reſolved, That two members be added to the committee appointed to repair to camp to execute the buſineſs preſcribed in the reſolution of the 10th inſtant;

The members choſen, Mr. Carroll and Mr. G. Morris.

A letter of the 9th from Thomas Webb, a priſoner at Bethlehem, directed to Mr. Roberdeau, was laid before Congreſs and read:

Ordered, That it be referred to the board of war.

The board of war brought in a report:

Ordered, That the ſame be taken into conſideration to-morrow.

Ordered, That Mr. Lewis have leave of abſence for eight days.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *January* 21, 1778.

A letter of the 18th from G. Read, preſident of the Delaware ſtate, and one of the 20th from W. Buchanan, commiſſary general of purchaſes, were read:

Ordered, That the latter be referred to the committee of commerce.

Congreſs proceeded to re-conſider the reſolution of the 19th reſpecting the pay of the officers of the navy, and ſundry amendments being moved,

Ordered, That the reſolution with the amendments moved be referred to a committee of three;

The members choſen M. G. Morris, Mr. Harvie and Mr. Clarke.

Ordered, That the committee ſit on this buſineſs and report in the afternoon.

Three o'clock, P. M.

The committee appointed to deviſe effectual means to prevent perſons diſaffected to the intereſt of the United States from being employed in any of the important offices thereof, brought in a report:

Ordered, That the ſame be taken into conſideration to-morrow.

The committee to whom was referred the reſolution of the 19th, with the amendments moved, brought in a report:

Ordered, That the conſideration thereof be poſtponed till to-morrow.

A letter of the 12th from the commiſſioners of Indian affairs in the northern department, incloſing a letter from the reverend Mr. Wheelock, and intelligence from colonel Bedel; and one of the ſame date from Mr. Duane, were read:

Ordered, That they be referred to the board of war.

A letter of the 12th from major general Schuyler, and one of the 6th from major general Arnold, were read:

Ordered, That they be referred to the board of treaſury.

The report from the board of war was read as follows;

"That having conferred with Mr. Elias Boudinot, commiſſary of priſoners, on the 21ſt of December, and carefully examined the evidences produced by him, the board eſteem it their duty to ſtate to Congreſs the following facts, relating to the American priſoners in the power of the enemy;

That as far as can be collected from the teſtimony of priſoners and inhabitants, who have left the enemy, there are about nine hundred privates and three hundred officers in the city of New-York, and about five hundred privates and fifty officers in the city of Philadelphia:

That the privates in New-York have been crouded all ſummer in ſugar-houſes, and the officers boarded on Long-Iſland, except about thirty, who have been confined in the provoſt guard and in the moſt loathſome goals:

That ſince the beginning of October all theſe priſoners, both officers and privates, have been confined in priſon-ſhips or the provoſt:

That

That the privates in the city of Philadelphia have been kept in the two public goals, and the officers in the ſtate houſe:

That from the beſt evidence which the nature of the ſubject will admit of, it appears that the general allowance of proviſions at the moſt does not exceed four ounces of meat and the ſame quantity of bread (often ſo damaged as not to be eatable,) per man per day, and oftimes much leſs; although the profeſſed allowance is from eight to ten ounces; and that the priſoners have been treated in general (officers not excepted,) with a cruelty ſcarce to be parelleled and with the moſt ſtudied and illiberal inſult;

That it has been a common practice with the enemy, on a priſoner's being firſt captured, to keep him three, four, and even five days, without a morſel of proviſions of any kind, and then to tempt him to inliſt with the new levies, in order to ſave his life:

That there are numerous inſtances of priſoners of war periſhing in all the agonies of hunger from their ſevere treatment:

That being generally ſtripped of what cloaths they have when taken, they have ſuffered greatly for want thereof during their confinement:

That in the beginning of laſt ſummer bills of exchange to the amount of ſix hundred pound ſterling, purchaſed of David Franks, Britiſh commiſſary of priſoners reſiding within the juriſdiction of theſe ſtates, were ſent into New-York for the relief of the priſoners; that every obſtacle was thrown in the way to prevent the negotiation of theſe bills, and after a delay of two months, they were returned to Mr. Boudinot, the American commiſſary of priſoners:

That the American commiſſary of priſoners had permiſſion to ſend proviſions from Hudſon's and Rariton rivers into New-York, and to purchaſe cloathing there for about two months paſt; but on this condition, that the ſloop carrying the proviſions ſtop at the man of war ſtationed at the mouth of Hudſon's river, where the hands are taken on board of the ſhip, and the agent for American priſoners in New-York is obliged to ſend hands from thence to take the ſloop over to the city and return her again to the man of war, which not only renders it very tedious and expenſive, but prevents getting ſloops for the

the purpoſe, as very few owners chuſe to truſt their veſſels in the enemy's hands and to remain priſoners on board the man of war till the ſloop returns:

That proviſions, which have been ſent into the city of New-York for the ſubſiſtance of the American priſoners have been prevented by a public ordinance from being ſold at a higher rate than forty-five ſhillings per hundred for flour, although the current price of that article was ſix pounds per hundred, and it actually ſold current at that price betwixt individuals, while the flour belonging to theſe ſtates was ſold at the ordinance price:

That the American priſoners in the power of the enemy have not had any allowance made to them for their ſubſiſtance, although the Britiſh officers in the power of theſe ſtates have been allowed by a reſolution of Congreſs two dollars a week for their ſubſiſtance:

That in conſequence of repeated remonſtrances from general Waſhington to general Howe concerning the injurious treatment of priſoners in his power, general Howe in his letter to general Waſhington in November laſt promiſed, "that a commiſſary ſhould be permitted to carry "in a ſupply of cloathing, money and other neceſſaries "for the priſoners in Philadelphia, and to viſit the pla-"ces where they were confined:"

That on a conference which paſſed betwixt Mr. Ferguſon, the Britiſh commiſſary of priſoners, and Mr. Boudinot the commiſſary of priſoners for theſe ſtates, who was ordered by general Waſhington to viſit the priſoners agreeably to general Howe's promiſe, Mr. Ferguſon ſaid that he was deſired by general Howe to let Mr. Boudinot know, "that there could be no neceſſity for his coming "into the city, as he would ſee that the priſoners were properly dealt by;" and Mr. Boudinot was not ſuffered to go in:

That on this conference Mr. Ferguſon, the Britiſh commiſſary of priſoners, complaining of the inattention paid to the ſupplying of priſoners in their hands with cloaths, ſaid, "that there was plenty of cloathing in Philadelphia, "which we were at liberty to purchaſe for proviſions, "and to appoint agents for that purpoſe; that on Mr. Boudinot's expreſſing his doubts on this point, Mr. Ferguſon ſhewed great ſurprize at his unbelief, aud aſſured him repeatedly that full liberty to purchaſe cloathing would be granted:

That

That Mr. Ferguſon, in his letter of the 2d of December, ſays, "that permiſſion will be given to *ſend* in cloathing to our priſoners, but that general Howe does not think fit to allow it to be purchaſed in Philadelphia."

Congreſs taking into conſideration the foregoing facts, and conſidering that during the whole time in which the American priſoners have ſuffered ſuch unparelleled rigor and inſult, and every obſtacle has been thrown in the way of their relief, the priſoners taken from the enemy have been plentifully ſupplied with proviſions, either at the expence of theſe ſtates or by commiſſaries in the ſervice of the enemy permitted to reſide and purchaſe without controul within the juriſdiction of theſe ſtates—that their officers have been admitted on their parole in good quarters and a weekly allowance made them—that few even of their privates, have been for any time confined in jail; but on the contrary that they have been permitted to work abroad and to receive the full price of their labour; thereupon

Reſolved, That the allowance of two dollars a week to officers who are priſoners of war to theſe United States do ceaſe, unleſs to thoſe officers who may be entitled thereto by any contract made on or before their captivity or ſurrender:

That neither David Franks, nor any other agent or perſon whatſoever, be permitted to negotiate bills within theſe United States for the ſupply of priſoners taken from the enemy, or to purchaſe proviſions or other neceſſaries for ſuch purpoſe within the juriſdiction of theſe ſtates, except in the manner herein after provided:

That every Britiſh commiſſary, or any other perſons or agents employed to ſupply priſoners taken from the enemy, with proviſions, ſhall make return of the priſoners under his or their reſpective care to the purchaſing commiſſary of the diſtrict, wherein ſuch priſoners are confined, who ſhall deliver a ſufficient number of rations for their weekly or monthly ſubſiſtance, as circumſtances ſhall render neceſſary, taking duplicate promiſſary receipts for the ſame, payable in thirty days after date, one of which receipts ſhall be forthwith tranſmitted to the commiſſary general of purchaſes, or to the deputy commiſſary general of purchaſes of the department in which the proviſions are ſupplied:

That

That the provisions so received shall be paid for in the manner prescribed by the resolution of Congress of the 19th of December last; and in case the same shall be accounted for in gold and silver, the commissary general or deputy commissary of purchases receiving the same shall remit it without delay to the board of treasury, in order that the same may be applied as a fund for relieving the distresses of the prisoners in the power of the enemy:

That in case failure shall be made by any person signing such receipt, in discharging the amount, when it shall become due, no farther provisions shall be issued for the maintenance of the prisoners under the care of the person or persons so failing:

That in return for the permission hereby given to purchase provisions of the American commissaries, for the use of the enemy's prisoners, general Washington be directed to demand of general Howe liberty to purchase cloathing in such places as may be under his power for the use of the American prisoners; the cloathing so furnished to be paid for either in gold or silver, or in provision, to be sent in and sold at the market price: and that in case general Howe should chuse to order provisions and other necessaries to be sent out for the supply of the prisoners in our power, instead of the mode proposed by the former resolutions, he be permitted to send what supplies may from time to time be necessary to such post as the American commissary of prisoners shall direct, which provision when sent out shall be issued to the prisoners by persons appointed by general Howe for that purpose, provided that permits be granted by general Howe for transporting provisions either by land or water, as shall be most convenient, from the states of New-York, New-Jersey, Pennsylvania, Maryland and Virginia, for the use of the American prisoners in the cities of New-York and Philadelphia, and in the town of Newport in Rhode-Island; and the provisions so sent in be issued out by commissaries or other persons appointed for such purpose by these states, who shall be permitted to reside at the places where the prisoners are confined:

That in return for the permission given by the resolution of Congress of the 21st of May, 1776, for a commissioned officer from the British army to visit monthly the prisoners in the power of these states, "in order to count their numbers and certify their rolls," general Washington be directed

directed to demand peremptorily of general Howe a like permiſſion, or to agree upon any other equal mode for aſcertaining the ſituation of the American priſoners which ſhall be deemed moſt expedient; and in caſe of general Howe's refuſal to give ſatisfaction on this point that general Waſhington regulate his future conduct by the conduct of general Howe:

That general Waſhington be directed to enquire of general Howe the reaſons why ſeveral officers in the ſervice of theſe ſtates, and other citizens now in his power, have been ſo long confined either in the provoſt guard or loathſome jails, and treated with ſuch unparalleled rigour; and if general Howe ſhall refuſe to make any anſwer to this requiſition within the ſpace of five days, or give ſuch reaſons for the treatment of theſe unfortunate perſons as ſhall not be juſtifiable by the laws of nations, general Waſhington be directed immediately to order a number of the enemy's officers, as nearly equal in rank and condition of life as poſſible to the perſons ſo confined without juſt cauſe, forthwith to be impriſoned, ſubſiſted and treated in the ſame manner, as the perſons above alluded to are impriſoned, ſubſiſted and treated; and that he be informed that it is the expectation and expreſs order of Congreſs that this mode of treatment in general be continued, changed or ſuſpended, as the conduct of the enemy, with reſpect to American priſoners, ſhall from time to time render juſt and neceſſary, without waiting for any ſpecial order from Congreſs for ſuch purpoſe:

That the commiſſary general of priſoners and his reſpective deputies be forthwith directed to call in all the officers and privates belonging to the enemy, and to confine them in ſuch places and order them to be ſubſiſted and treated in ſuch manner as ſhall render their ſituation ſimilar in all reſpects to that of the officers and privates who are priſoners with the enemy; and that they continue this mode of treatment, till ſuch time as a change of conduct on the part of the enemy ſhall induce Congreſs or the commander in chief of the armies of theſe ſtates, to give directions for a different line of conduct on their part:

That it be recommended to the government of the reſpective ſtates, where priſoners of war are confined, to give every aſſiſtance in their power to the commiſſary general of priſoners or his deputies, by putting them in poſ-

ſeſſion of jails or other proper buildings, and by furniſhing them with guards, in order to enable them to execute the foregoing reſolution.

And whereas general Howe, by his letter to general Waſhington in November laſt, affects to make a diſtinction in the treatment of perſons taken in arms and of the faithful citizens of theſe ſtates ſubjected to his power, in a manner not only contrary to reaſon and the principles of humanity but inconſiſtent with the ſentiments expreſſed by general Howe himſelf in his letter to general Waſhington, dated Staten-Iſland, 1ſt of Auguſt, 1776:

Reſolved, That general Waſhington be directed to require of general Howe an explanation of thoſe parts of his letter of November, 1777, which imply this diſtinction, and the line of conduct which he means to obſerve for the future, with reſpect to ſuch of the faithful citizens of theſe ſtates as may be ſubjected to his power.

Reſolved, That a committee of four be appointed to prepare a manifeſto on the injurious treatment our priſoners and faithful citizens receive from the enemy:

The members choſen Mr. Witherſpoon, Mr. J. B. Smith, Mr. Lovell and Mr. G. Morris.

Adjourned to ten o'clock to-morrow.

THURSDAY, *January* 22, 1778.

A letter of the 1ſt from B. Harriſon, deputy paymaſter general at Williamſburgh, and one of the 21ſt from James Meaſe, cloathier general at Lancaſter, were read:

Ordered, That they be referred to the board of treaſury.

A letter of the 19th from governor Johnſon of Maryland was read:

Ordered, That it be referred to the committee of commerce.

A letter of the 6th and one of the 8th from major general Heath at Boſton, with copies of letters that paſſed between him and lieutenant general Burgoyne, were read.

The committee on the treaſury brought in a report; whereupon

Ordered, That two hundred thouſand dollars be paid to the board of war, to be by them tranſmitted to Ebenezer Hancock, eſquire, deputy paymaſter general of the eaſtern diſtrict, who is to be accountable.

Reſolved,

Resolved, That two millions of dollars be emitted under the direction of the board of treasury and on the faith of the United States:

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed the 7th instant, be numbered from the last number of each respective denomination of that emission progressively, and consist of the following denominations, viz.

30768 bills of the denomination of	3	dollars,	92304
30768 do.	4	do.	123072
30768 do.	5	do.	153840
30768 do.	6	do.	184608
30768 do.	7	do.	215376
30770 do.	2	do.	61540
30770 do.	8	do.	246160
30770 do.	30	do.	923100
			2,000000

That all powers and duties of Michael Hillegas esquire, and of the inspectors of the press, signers and printers of the emission directed on the 20th of May last, shall extend to the said two millions now to be emitted, subject however to such directions and instructions as the board of treasury may judge expedient.

Ordered, That fifty thousand dollars be advanced to William Buchanan, commissary general of purchases, to be by him transmitted to the western district, for the use of his department; he to be accountable:

That a warrant issue on the loan-officer of Pennsylvania for one hundred thousand dollars, and one other on the treasurer for fifty thousand dollars, in favour of James Mease, cloathier general, to answer the draughts of his deputies in the several states for cloathing purchased by them, and that he be directed to transmit to the board of treasury a list of the draughts which he shall have paid with the money aforesaid before he applies for further sums for this purpose; the said James Mease to be accountable.

Resolved, That the cloathier general be directed to pay to Mr. Paul Zantzinger, the balance which shall appear to be due to him for six hundred and fifty suits of cloaths, or for any part thereof, which he has purchased by order of brigadier Wayne, upon Mr. Zantzinger producing

ſufficient vouchers of the coſt of the cloathing, and proper receipts of the delivery thereof.

Three o'clock, P. M.

Reſolved, That the paymaſter general or his deputies be directed to pay the aids de camp of the marquis de la Fayette according to their rank, as the aids of other major generals are paid.

The committee of commerce, to whom were referred the letters from governor Johnſon of Maryland, and W. Buchanan, commiſſary general of purchaſes, brought in a report; whereupon

Reſolved, That the commiſſary general of purchaſes be directed to purchaſe in the ſtates of Maryland and Virginia, upon the moſt reaſonable terms, ſuch a quantity of ſalt as he may think neceſſary for the immediate uſe of the army; and that the preſident write to the governor of Maryland, thanking him for the pains he has taken on this matter, and requeſting him to aſſiſt the commiſſary general in the buſineſs aforeſaid.

The board of war, to whom the ſeveral diſpatches from the northern department were committed, brought in a report; whereupon

Reſolved, That an irruption be made into Canada, and that the board of war be authoriſed to take every neceſſary meaſure for the execution of the buſineſs under ſuch general officers as Congreſs ſhall appoint, and apply for ſuch ſums of money as may be thought by them proper and requiſite for the expedition.

Ordered, That the appointment of the general officers to conduct the irruption be poſtponed till to-morrow.

A letter of this day from W. Palfrey, paymaſter general, and one from W. Buchanan, commiſſary general of purchaſes, and a petition from Iſaac Zane, Joſeph Janney, Benjamin Wright, William Jackſon, John Pariſh and Joſeph Wright, were read:

Ordered, That the petition be referred to a committee of three;

The members choſen Mr. Ellery, Mr. Henry and Mr. Clark.

Adjourned to ten o'clock to-morrow.

FRIDAY, *January* 23, 1778.

A letter of the 8th from E. Hancock, deputy paymaſter general, with a monthly account incloſed; one of the

5th

5th from William Whipple, "wiſhing to be excuſed from "attending the enquiry into the cauſe of the failure of "the late expedition againſt Newport," and a petition from colonels Sheppard, Bailey, Tupper, &c. were read.

Reſolved, That the reſolution paſſed yeſterday, directing the commiſſary general to purchaſe ſalt in Maryland and Virginia, be re-conſidered, and that the ſame, together with the letter from governor Johnſon, be referred to a committee of three;

The members choſen Mr. Forbes, Mr. Witherſpoon and Mr. J. B. Smith.

The auditor general, in conſequence of an adjuſtment by the commiſſioners of claims, reports,

That there is due to a detachment of North Carolina continental troops, under the command of colonel John Williams, and belonging to the 1ſt, 2d, 3d, 4th, 5th, 6th, 7th, 8th, and 9th regiments of that ſtate, up to the 1ſt of January, as by particular muſter and pay-rolls, three thouſand nine hundred and fifty-nine dollars, which is to be advanced to captain Benjamin Williams, who is to be accountable for that ſum:

Ordered, That the ſame be paid.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the commiſſioner of the continental loan-office in the ſtate of New-Hampſhire, for fifty thouſand dollars, in favour of the preſident and council of the ſaid ſtate, which is to be accountable:

That four hundred dollars be advanced to Robert Hide Saunders, lieutenant in the Virginia ſtate regiment, commanded by colonel George Gibſon, for the uſe of a party of the ſaid regiment on their march to camp; the ſaid colonel Gibſon to be accountable:

That one thouſand dollars be advanced to the board of war, for public ſervice; the ſaid board to be accountable.

Congreſs proceeded to the election of general officers to conduct the irruption into Canada, and the ballots being taken,

Major general the marquis de la Fayette, major general Conway, and brigadier Stark, were elected.

A petition from Lott Hall was read:

Ordered, That it be referred to the marine committee.

The

The committee appointed to take into conſideration the wants of the army, and the letter from the committee at Camp, December 10, 1777, to general Waſhington, brought in a farther report, which was read: after debate

Ordered, That it be referred to a committee of three;

The members choſen Mr. James Smith, Mr. Ellery and Mr. Dyer.

Adjourned to ten o'clock to-morrow.

SATURDAY, *January* 24, 1778.

The committee to whom were referred the reſolution of the 22d, reſpecting the purchaſe of ſalt in Maryland and Virginia, and the letter of the 19th from governor Johnſon, brought in a report; whereupon

Reſolved, That a letter be written to governor Johnſon, thanking him for the pains he has taken as to the purchaſe of ſalt, and excepting the one thouſand three hundred and fifty buſhels mentioned in his letter, to be delivered to the order of the commiſſary general, who has undertaken to proceed in the purchaſe of what more is immediately neceſſary, agreeably to the information given by the governor on that ſubject.

The board of war brought in a report; whereupon

Reſolved, That it be earneſtly recommended to the government of the ſtate of New-York forthwith to call out four hundred militia of that ſtate, under the command of an active and vigilant officer, to ſerve for the ſpace of four months, under the command of the officer commanding in the northern department; the ſaid militia when raiſed to repair to Albany.

The committee to whom was referred the report under debate yeſterday brought in their report, which was read: after debate

Ordered, That it be re-committed.

The marine committee, to whom were referred the letters of general Waſhington and brigadier Smallwood, reſpecting the capture of ſeveral veſſels and goods by detachments of the main army, brought in a report; whereupon

Reſolved, That the veſſels and goods lately captured as aforeſaid ought to be libelled in the court of admiralty in that ſtate where the capture was made; but if no ſuch court be erected in that ſtate, then the proſecution ſhould

be

be in the court of ſuch ſtate as the captors may find convenient, the judge whereof, on condemnation, will order diſtribution to be made agreeably to the reſolution of Congreſs; and that ſix printed copies of the extracts of the journals of Congreſs relative to the capture and condemnation of prizes, &c. be tranſmitted to general Waſhington and brigadier Smallwood.

A letter of the 22d from Samuel and R. Purviance was read:

Ordered, That it be referred to the board of treaſury.

The committee on the treaſury brought in a report; whereupon

Ordered, That three hundred thouſand dollars be advanced to W. Buchanan, commiſſary general of purchaſes, for the uſe of his department; he to be accountable:

That twenty-ſeven dollars and 84-90ths be paid to major John Clarke, for his expences attending the board of treaſury, by their order, and for two pair of ſhears purchaſed by him for the uſe of the auditors at head-quarters:

That a warrant iſſue on Thomas Harwood, eſquire, commiſſioner of the continental loan-office for the ſtate of Maryland, for twenty thouſand dollars, in favour of his excellency governor Johnſon, for the purpoſe of recruiting the continental army in that ſtate; the ſaid ſtate to be accountable:

That a warrant iſſue on Joſeph Borden, eſquire, commiſſioner of the continental loan-office for the ſtate of New-Jerſey, for ten thouſand dollars, in favour of his excellency the governor of the ſaid ſtate, to be paid out of the firſt money brought into the office, for the purpoſe of recruiting the continental battalions of the ſaid ſtate; for which the ſaid ſtate is to be accountable:

That fifty thouſand dollars be advanced to Benjamin Flower, commiſſary general of military ſtores, and paid to his deputy Cornelious Sweers, for the uſe of his department; the ſaid commiſſary general to be accountable.

A motion was made, that Congreſs ſit but once a day:

The previous queſtion was moved, and after debate,

The determination thereof, at the requeſt of a ſtate, was poſtponed.

Adjourned to ten o'clock on Monday.

MONDAY,

MONDAY, *January* 26, 1778.

The committee on the treaſury brought in a report; whereupon

Ordered, That thirteen thouſand dollars be advanced to colonel John Williams, to purchaſe twelve waggons with horſes, for the purpoſe of tranſporting a quantity of goods purchaſed by the cloathier general in the ſtate of North-Carolina; the ſaid colonel Williams to be accountable:

That the following warrants iſſue in favour of Alexander Roſe, for the payment of five bills drawn by Samuel A. Otis on James Meaſe, eſquire, cloathier general; one dated December 19th, for twenty-four thouſand dollars, in favour of John Tracey; one dated December 22d, in favour of Alexander Roſe, for forty thouſand dollars; one dated December 22d, in favour of Alexander Roſe, for ten thouſand dollars; one dated December 25th, in favour of Jonathan Jackſon, for twenty-three thouſand three hundred and thirty-three dollars and 30-90ths; and one in favour of Iſaac Sears, for thirteen thouſand three hundred and thirty-three dollars and 30-90ths; amounting in the whole to one hundred and ten thouſand ſix hundred and ſixty-ſix dollars and two thirds of a dollar, being for the payment of cloathing purchaſed in the ſtate of Maſſachuſetts-Bay by the ſaid Otis, for the uſe of the army; the cloathier general to be accountable, viz.

One on the treaſurer for fifty thouſand ſix hundred and ſixty-ſix dollars and 60-90ths;

One on the commiſſioner of the continental loan-office in the ſtate of South-Carolina for twenty-five thouſand dollars; and

One on the commiſſioner of the continental loan-office in the ſtate of Virginia for thirty-five thouſand dollars.

Ordered, That one hundred and eighty dollars be advanced to colonel Kermovan, engineer, on his pay; for which he is to be accountable.

A letter of the 24th from major general Gates, preſident of the board of war; one of December 20th from John Langdon, eſquire, at Portſmouth, directed to the marine committee, with a bill of exchange incloſed; one of the 15th of December, and one of the 10th inſtant from Jonathan Trumbull, junior, paymaſter in the northern department were read;

Ordered,

Ordered, That the two laſt be referred to the board of treaſury.

A letter of this day from W. Buchanan, commiſſary general of purchaſes; one of the 16th from governor Trumbull by chevalier de Gracey; one of the 5th from governor Cook; and one of the 13th from governor Trumbull were read:

Ordered, That they be referred to the board of treaſury.

Reſolved, That Congreſs highly approve the conduct of the governor and council of ſafety of Connecticut in the appointment of Mr. Champion, and their other meaſures for providing public ſtores and proviſions; and depend upon their conſtant attention to this important object.

A letter of the 16th from governor Trumbull was read:

Ordered, That it be referred to the board of trea-

A letter of the 24th from major Clark was read:

Ordered, to lie on the table.

Three o'clock, P. M.

A letter of the 22d from colonel de la Baulme was read:

Ordered, That it be referred to the board of war.

A letter of the 25th from doctor Ruſh was read.

Reſolved, That Mr. Witherſpoon and Mr. Roberdeau be added to the committee on the commiſſary's department.

Congreſs took into conſideration the letter from major general Gates, preſident of the board of war; whereupon

Ordered, That ten thouſand dollars be advanced to the board of war, for contingent expences; the ſaid board to be accountable.

The committee appointed to enquire into the cauſes of the evacuation of Ticonderoga, &c. report that they are not yet ready.

Adjourned to ten o'clock to-morrow.

TUESDAY, *January* 27, 1778.

On a repreſentation from the committee appointed to enquire into the cauſes of the evacuation of Ticonderoga, &c.

Reſolved, That Mr. James Smith be added to that committee.

A letter

A letter of the 13th from colonel la Radiere at Fiſh Kill was read :

Ordered, That it be referred to the board of war.

A letter of the 31ſt of December from Egbert Benſon, eſquire, was read, repreſenting, that for ſundry reaſons he cannot attend the enquiry into the cauſes of the failure of the late intended expedition againſt Rhode-Iſland.

A letter from monſieur la Neuville; one of the 23d from general Waſhington; and one of the 26th from major general Conway, in recommendation of monſieur la Neuville, were read :

Ordered, That they lie, until the committee ſent to Camp ſhall return and make report.

A letter of the 26th from general Gates, preſident of the board of war, was read :

Ordered, That it be referred to the board of treaſury.

A letter from doctor Shippen, director general, and one from doctor Brown, both directed to the medical committee, were laid before Congreſs and read :

Ordered, That the ſame, together with the letters ſome time ſince received from doctor Shippen and doctor Ruſh and from governor Livingſton, relative to the hoſpital department, be referred to a committee of five, and that the committee be inſtructed to ſend for doctor Shippen and doctor Ruſh, and to hear them and to report ſpecially;

The members choſen Mr. Witherſpoon, Mr. Penn, Mr. Lovell, Mr. Gerry, and Mr. Roberdeau.

Three o'clock, P. M.

Reſolved, That to-morrow be aſſigned for the appointment of a general officer to relieve major general Spencer in his command at Rhode-Iſland and Providence Plantations.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on John Lawrence, eſquire, commiſſioner of the continental loan-office in the ſtate of Connecticut, in favour of his excellency the governor and council of ſafety of the ſaid ſtate, for two hundred thouſand dollars, to be by them appropriated for the purchaſe of proviſions for the uſe of the continental army; the ſaid governor and council to be accountable :

That twelve thouſand dollars be advanced to the marine committee, to diſcharge a bill dated the 20th of December

cember laſt, drawn by John Langdon, continental agent at Portſmouth in New-Hampſhire, on the ſaid committee, in favour of Stephen Hooper, eſquire, for that ſum; the ſaid committee to be accountable:

That one hundred thouſand dollars be advanced to William Buchanan, commiſſary general of purchaſes, to be by him tranſmitted to Mr. Colt, for the purpoſe of purchaſing proviſions in the eaſtern diſtrict, for the uſe of the army; the ſaid commiſſary general to be accountable:

That two thouſand dollars be advanced to the delegates of Maſſachuſetts-Bay, on their application, for which the ſaid ſtate is to be accountable:

That five hundred dollars be paid to Mr. E. Dyer, delegate from the ſtate of Connecticut, on his application; the ſaid ſtate to be accountable.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *January* 28, 1778.

A letter from Jacob Ruſh was read, requeſting leave to reſign his office of deputy ſecretary.

A letter of the 26th from the council of Pennſylvania, and one of the 26th from Mr. G. Morris, at Camp, were read:

Ordered, That the two laſt be referred to the board of war.

A letter of the 23d of December from S. A. Otis, directed to James Meaſe, cloathier general, incloſing one of the 10th of December from J. Trumbull, was read:

Ordered, That the ſame be referred to the board of treaſury.

A letter of the 12th from Henry Hay, with a return of the cannon found at Ticonderoga, &c. and one from E. Allen, were read:

Ordered, That they be referred to the board of war.

The committee on the treaſury brought in a report, which being read;

On motion

Ordered, That it be referred to the committee appointed to take into conſideration the ſtate of Georgia.

In purſuance of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to captain Benjamin Williams, acting as paymaſter to the Virginia and North-Carolina troops in this town, by the appointment of the board of treaſu-

ry, for the balance of pay due to a detachment of the 1st, 2d, 4th, 5th, 6th, 9th, 10th, 12th, 14th, 15th and 16th regiments of Virginia troops; for an advance to a drill serjeant, and for his services as paymaster from the 1st to the 27th instant, eighty dollars:

Ordered, That the said account be paid.

Resolved, That the resignation of J. Rush be accepted.

The committee to whom the petition from J. Zane and others was referred, reported verbally:

Ordered, That the consideration of this matter be postponed till to-morrow.

Adjourned to ten o'clock to-morrow.

THURSDAY, *January* 29, 1778.

A letter of the 28th from brigadier de Roche Fermoy was read:

Ordered, That it be referred to the board of war.

In pursuance of an adjustment by the commissioners of claims the auditor general reports,

That there is due to brigadier Thompson, for sundry advances made on his credit by Mr. Freeman and Mr. Cord, merchants in Quebec, to sundry officers and wounded soldiers, who were there prisoners, the sum of two thousand three hundred and forty-three dollars and 33-90ths, which sum is to be accounted for as follows, viz.

	dol.	90ths.
By colonel Christopher Green, for himself and officers,	1340	31
captain now colonel Daniel Morgan,	421	21
captain now colonel John Lamb,	229	12
lieutenant now major Francis Nichols,	64	53
captain Moses M'Clane,	34	39
army, for advances to wounded soldiers,	252	46
add for fractions,		11
making in the whole,	2343	33

To brigadier Thompson, for his pay from the 1st of May to the 31st of December 1777, and for his rations from the 1st of March to the 31st of July, one thousand one hundred and sixty-four dollars:

Ordered, That the said accounts be paid.

The committee on the treasury brought in a report; whereupon

Ordered,

Ordered, That one thouſand three hundred dollars be advanced to the delegates of New-York, on the application of Mr. Duer, one of the ſaid delegates, for which ſum the ſaid ſtate is to be accountable.

A memorial from lieutenant colonel Thomas Dyer was read, repreſenting his early and continued ſervices in the army, and his loſs of health, for the recovery of which he had obtained from the general a furlough for ſix weeks, and praying, as his furlough is near expiring and ſtate of health is ſuch as renders him utterly unable to bear the fatigues of the ſervice, that he may for that reaſon have leave to reſign his commiſſion:

Ordered, That it be referred to the board of war.

Congreſs reſumed the conſideration of the petition of Iſaac Zane, &c. whereupon

Reſolved, That the priſoners now at Wincheſter in the ſtate of Virginia, who have been apprehended by the government of Pennſylvania, in conſequence of the reſolutions of Congreſs of the 28th of Auguſt, 1777, be diſcharged from their confinement on their taking and ſubſcribing either the oath or affirmation of allegiance as preſcribed by the laws of Pennſylvania, or the following oath or affirmation, at the option of the perſons confined, viz. "I, A. B. do ſwear or affirm, that I acknowledge myſelf a ſubject of the ſtate of Pennſylvania, as a free and independant ſtate, and that I will in all things demean myſelf as a good and faithful ſubject ought to do."

Ordered, That the preſident write to the governor of Virginia, and inform him of this reſolution.

Congreſs took into conſideration the report of the committee appointed to deviſe effectual means to prevent perſons diſaffected to the intereſt of the United States from being employed in any of the important offices thereof, and after debate,

Ordered, That it be re-committed.

A motion being made for preventing abuſes by officers in the civil departments of the army,

Ordered, That it be referred to the foregoing committee.

Three o'clock, P. M.

A letter of the 16th from meſſieurs Hewes and Smith from Edenton was read:

Ordered, That it be referred to the board of treaſury.

A letter

A letter of the 19th from F. Hopkinſon, one of the commiſſioners of the navy board, concerning the conduct of captain Barry, was read: whereupon

It was moved, that captain Barry be not employed on the expedition aſſigned to his conduct by the marine committee, with the approbation of Congreſs, until further orders of Congreſs:

Queſtion put, the ſtates were equally divided.

Adjourned to ten o'clock to-morrow.

FRIDAY, *January* 30, 1778.

Mr. Thomas M'Kean, a delegate from the ſtate of Delaware, attended and produced the credentials of his appointment, which were read as follows:

"In COUNCIL, Wedneſday, *P. M.* December 17, 1777.

"Whereas Cæſar Rodney, Nicholas Vandyke, and Thomas M'Kean, eſquires, have been choſen by joint ballot of the two houſes of aſſembly to repreſent Delaware ſtate in the continental Congreſs: Reſolved, That they or any one or more of them are hereby fully authoriſed and impowered for and in behalf of this ſtate, to concert, agree to and execute any meaſure which they or he, together with a majority of the continental Congreſs, ſhall judge neceſſary for the defence, ſecurity, intereſt and welfare of this ſtate in particular and America in general; with power to adjourn to ſuch times and places as ſhall appear moſt conducive to the public ſafety and advantage.

"Extract from the minutes,

"BENJAMIN VINING, clerk of the council.

"Sent up for concurrence.

"In the HOUSE of ASSEMBLY, eodem die.

"Read and concurred in,

"SAMUEL WEST, Speaker.

"I do certify that the foregoing is a true extract from the minutes of the council.

"BENJAMIN VINING, clerk of the council."

The committee of treaſury brought in a report; whereupon

Ordered, That twenty thouſand dollars be advanced to doctor Jonathan Potts, deputy director general of the hoſpital in the northern department, for the uſe of his diſtrict; he to be accountable.

A letter

A letter of the 30th from Edward Stevens was read, deſiring leave to reſign his commiſſion:

Ordered, That it be referred to the board of war.

The board of war ſent to Congreſs a letter of the 26th from general Waſhington to general Gates, preſident of the board, which was read:

Ordered, That it be returned to the board of war, and that the board be directed to enquire immediately into the number and rank of the commiſſioned and non-commiſſioned officers who have come out of Philadelphia with cloathing for the priſoners taken from the enemy, and into the conduct of all the perſons who compoſe the eſcort, whilſt they have been on the route, and that they report ſpecially to Congreſs the reſult of their enquiry.

Three o'clock, P. M.

A letter of the 17th from brigadier Hand was read:

Ordered, That the conſideration thereof be poſtponed.

A letter from doctor Ruſh was read, requeſting leave to reſign:

Reſolved, That his reſignation be accepted.

A letter of this day from brigadier de Roche Fermoy, and one from Mr. Kermovan, were read:

Ordered, That they be referred to the board of war.

An account of Archibald Steel was preſented to Congreſs:

Ordered, That it be referred to the board of treaſury.

The board of treaſury brought in a report:

Ordered, That it be re-committed.

The board of war brought in a report:

Ordered, That the conſideration thereof be poſtponed.

On motion

Ordered, That the quartermaſter general immediately prepare and render an account to Congreſs of all his public expenditures.

The committee to whom was referred the report of the committee appointed to conſider the propoſals contained in a letter to general Waſhington from the committee lately ſent to Camp, brought in a report, which was read; after debate

Ordered, That it be re-committed, and that Mr. M'Kean be added to the committee.

Adjourned to ten o'clock to-morrow.

SATURDAY,

SATURDAY, *January* 31, 1778.

A letter of the 29th from James Meafe, with one inclofed from Samuel Caldwell, was read:

Ordered, That it be referred to a committee of three;

The members chofen Mr. Lee, Mr. Lovell and Mr. Duer.

A letter of the 28th from the committee at Camp was read, repreſenting the neceſſity of appointing without delay a quartermaſter general.

Congreſs reſumed the conſideration of the report from the board of war, reſpecting the quartermaſter's department; whereupon it was moved,

"That an officer of rank, activity, and well acquainted by experience with the buſineſs of quartermaſter general, be immediately appointed to that office, and that he be impowered to arrange the department with the approbation and concurrence of the board of war:"

An amendment was moved, "immediately to enter upon the execution thereof under the preſent regulations, and that the quartermaſter be directed, in concurrence with the board of war, to prepare a new arrangement for that department, to be laid before Congreſs for conſideration:" after debate

A motion was made that the conſideration of the ſubject be poſtponed till Monday:

New-Hampſhire,	Mr. Froſt,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. Gerry,		*
	Mr. Lovell,	*no*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	*ay*
New-York,	Mr. Duer,	*no*	*
New-Jerſey,	Mr. Witherſpoon,	*no*	*divided*
	Mr. Clark,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*no*	*divided*
	Mr. J. B. Smith,	*ay*	
	Mr. Clingan,	*ay*	
	Mr. James Smith,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Henry,	*no*	*
Virginia,	Mr. Lee,	*no*	*
North-Carolina,	Mr. Penn,	*no*	*no*
South-Carolina,	Mr. Laurens,	*ay*	*ay*
Georgia,	Mr. Wood,	*no*	*no*

So it paſſed in the affirmative.

The

The board of war brought in a report; whereupon

Reſolved, That the reſignation of colonel Stevens be accepted.

Reſolved, That baron Holzendorf have leave to reſign his commiſſion of lieutenant colonel, and have liberty to depart to France:

That brigadier de Roche Fermoy have leave to reſign his commiſſion in the ſervice of theſe ſtates, and to return to France:

That it be referred to the board of treaſury to conſider and report whether any and what compenſation ſhall be made to the two laſt gentlemen for their loſſes, and what ſums ſhall be paid them to defray their expences home.

The board of war made a report on Indian affairs, which was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. M'Kean, Mr. Ellery and Mr. Clark.

The committee of commerce laid before Congreſs an account received from captain Willing:

Ordered, That it be referred to the board of treaſury.

Adjourned to ten o'clock on Monday.

MONDAY, *February* 2, 1778.

A letter of the 31ſt of January from the board of war was read:

Ordered, That it be referred to the board of treaſury.

A letter of this day from general Gates was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. M'Kean, Mr. Forbes and Mr. James Smith.

Reſolved, That monſieur des Epiniers, now a captain in the ſervice of theſe ſtates, be advanced to the rank of major, in conſideration of the ſervices rendered by his uncle monſieur de Beaumarchais, and of his having ſerved with reputation in the American army.

The committee on the treaſury brought in a report; whereupon

Ordered, That one hundred and twenty-five dollars be paid to Jacob Ruſh, for his ſalary as deputy ſecretary from the 7th of November to the 28th of January, deducting one month that he was abſent, at ſeventy-five dollars per month.

In

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due, on a pay-roll of a company of guards ſtationed at Carliſle for the purpoſe of guarding ſtores, commanded by major James Armſtrong Wilſon, commencing the 6th of October, 1777, and ending the 31ſt of January, 1778, incluſive, the ſum of eleven hundred and forty-nine dollars and 30-90ths:

To a detachment of continental troops belonging to brigadier Wayne's diviſion, ſtationed at Carliſle, under the command of major Wilſon, for guarding ſtores, &c. from the 8th of December, 1777, to the 31ſt of January, 1778, incluſive, one hundred and thirty-five dollars, both which ſums, amounting to twelve hundred and eighty-four dollars and 30-90ths, ſhould be paid to major Wilſon:

Ordered, That the ſaid ſums be paid.

Three o'clock, P. M.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Joſeph Clark, eſquire, commiſſioner of the continental loan-office in the ſtate of Rhode-Iſland, for ſixty thouſand dollars, in favour of James Meaſe, cloathier general, to be by him tranſmitted to Samuel A. Otis, for the payment for cloathing purchaſed for the uſe of the army:

That a warrant iſſue on Nathaniel Appleton, eſquire, commiſſioner of the continental loan-office in the ſtate of Maſſachuſetts-Bay, in favour of James Meaſe, cloathier general, for one hundred thouſand dollars, to be tranſmitted by him to his deputy S. A. Otis, for the payment for cloathing purchaſed for the uſe of the army; for which two ſums the cloathier general is to be accountable.

Ordered, That the warrant on the treaſurer in favour of the board of war, for two hundred thouſand dollars, in purſuance of the order of the 22d of January, be returned and cancelled, and in lieu thereof, that a warrant iſſue on Joſeph Clarke, eſquire, commiſſioner of the loan-office in the ſtate of Rhode-Iſland, for one hundred thouſand dollars, in favour of Ebenezer Hancock, deputy paymaſter general in the eaſtern department; and that one hundred thouſand dollars be paid to the board of war, to be by them tranſmitted to the ſaid deputy paymaſter general, who is to be accountable:

That

That two hundred thouſand dollars be paid to the board of war, to be by them tranſmitted to Jonathan Trumbull, junior, paymaſter in the northern department, which ſum the treaſurer is directed to have in readineſs on Monday next; the ſaid paymaſter to be accountable.

A letter from the preſident of the board of war was read:

Ordered, That it be referred to the board of treaſury.

A letter from Mr. la Neuville, and one from Charles Frederick Bedaulx, were read:

Ordered, That the ſame, together with the letters from Mr. la Neuville, read on Thurſday laſt, be referred to the board of war.

A letter of January 20th from governor Henry of Virginia was read.

The committee to whom was referred the letter from the commiſſioners for Indian affairs in the northern department, together with the papers incloſed, and the opinion of the board of war thereon, brought in a report; whereupon

Reſolved, That the commiſſioners be inſtructed to ſpeak to the Indians at the intended treaty at Johnſton in language becoming the repreſentatives of free, ſovereign and independant ſtates, and in ſuch a tone as will convince them that we feel ourſelves to be ſo; but whether it will be prudent to inſiſt upon the Indians taking an active part in behalf of theſe ſtates muſt depend upon the temper they ſhall appear to be in; that this particular therefore be ſubmitted to the diſcretion of the commiſſioners.

Reſolved, That an addition of one commiſſioner be made, and it is expected by Congreſs that general Schuyler will attend the treaty.

Reſolved, That governor Clinton of New-York be impowered and requeſted to appoint a ſuitable perſon to be the commiſſioner of Indian affairs in the northern department, and to direct him to attend the treaty above mentioned.

Reſolved, That the commiſſioners ſpeak and act in ſuch manner as they ſhall think moſt likely to obtain the friendſhip or at leaſt the neutrality of the Indians, and that Congreſs will ſupport the commiſſioners in any meaſures they ſhall conceive beſt calculated to anſwer theſe ends:

That the commiſſioners be authoriſed to purchaſe five or ſix hundred blankets, or to order that number to be

ſent to Johnſton from any of the public ſtores to the eaſtward if to be had there, to be given as preſents to the Indians:

That the commiſſioners be informed that the hard money in the military cheſt at Albany is already appropriated.

A letter of the 31ſt of January from general Waſhington was read, and alſo a memorial from colonel Forman, requeſting a company to guard his ſalt works, on condition of furniſhing for the uſe of the army, at a reaſonable price, the ſalt made at the ſaid works:

Ordered, That the conſideration thereof be poſtponed till to-morrow.

Adjourned to ten o'clock to-morrow.

TUESDAY, *February* 3, 1778.

A letter of Joſeph Simons at Lancaſter, to Mr. Elling at York-Town was laid before Congreſs and read:

Ordered, That it be referred to the board of war.

A letter of the 24th of January from colonel Maſon was read:

Ordered, That it be referred to the board of treaſury.

The committee of commerce brought in a report; whereupon

Reſolved, That the committee of commerce ſhall from time to time as occaſion may require, recommend to Congreſs proper perſons in the reſpective ſtates to act as attornies in each ſtate for recovering all commercial debts due to the United States of America, and for claiming the continental ſhare of all prizes libelled in the court of admiralty of the ſtate where they may reſpectively reſide; and upon ſuch perſons being approved, that the preſident execute letters of attorney to ſuch perſons reſpectively, to be tranſmitted to them by the committee of commerce.

The committee on the treaſury brought in a report; whereupon

Ordered, That four hundred dollars be advanced to lieutenant colonel du Pleſſis, on the application of the marquis de la Fayette, who is to be accountable:

That ſeven hundred dollars be paid to lieutenant colonel du Pleſſis, for pay due to lieutenant colonel Gimat as a major from the 1ſt of December 1776, to January 1778, inclusive, being 14 months; the ſaid lieutenant colonel Gimat to be accountable:

That

That two hundred and ſixty dollars be paid to Robert Patton, for his wages as meſſenger to Congreſs and for his extraordinary ſervices and expences from the 12th of September 1777, to the 21ſt of January laſt:

That two hundred thouſand dollars be advanced to the board of war, for the purpoſe of forming a magazine of thirty thouſand barrels of flour for the uſe of the army, agreeably to the orders of Congreſs; the ſaid board to be accountable.

Reſolved, That two commiſſioners of accounts be forthwith appointed for the northern diſtrict, in the room of Mr. Carter and Mr. Millegan, the firſt of whom has reſigned, and the latter is appointed a commiſſioner of claims:

That one other be appointed to act with the commiſſioners of accounts at Hartford, in the room of William Denning, eſquire, who has declined that buſineſs.

Three o'clock, P. M.

The committee of commerce having recommended Abraham Livingſton, Nathaniel Ruſſel and Joſiah Smith, junior, as ſuitable perſons to be appointed attornies for recovering all commercial debts due to the United States of America, and for claiming the continental ſhare of all prizes libelled in the admiralty court in the ſtate of South-Carolina, the ſaid Nathaniel Ruſſel and Joſiah Smith or either of them to act in caſe of the abſence or death of the ſaid Abraham Livingſton:

Reſolved, That the perſons above mentioned be approved, and that the preſident be directed to execute a letter of attorney to them accordingly.

Congreſs proceeded to the election of commiſſioners of accounts, and the ballots being taken,

Joſeph Henderſon and Eleazer Wales, eſquires, were elected commiſſioners for the northern diſtrict, in the room of Mr. Carter and Mr. Millegan; and

Moſes Emmerſon, eſquire, was elected commiſſioner of accounts at Hartford, in the room of Mr. William Denning.

Congreſs took into conſideration the report of the committee appointed to deviſe effectual means to prevent perſons diſaffected to the intereſt of the United States from being employed in any of the important offices thereof; whereupon

Reſolved,

Resolved, That every officer who holds or shall hereafter hold a commission or office from Congress shall take and subscribe the following oath or affirmation:

"I . . . do acknowledge the United States of America to be free, independent and sovereign states, and declare that the people thereof owe no allegiance or obedience to George the third, King of Great-Britain; and I renounce, refuse and abjure any allegiance or obedience to him: and I do swear (or affirm) that I will to the utmost of my power support, maintain and defend the said United States against the said King George the third, and his heirs and successors, and his and their abettors, assistants and adherents, and will serve the said United States in the office of . . which I now hold, with fidelity, according to the best of my skill and understanding. So help me God."

On the question the yeas and nays being required,

New-Hampshire,	Mr. Frost,	*ay*	*ay*
Massachusetts-Bay,	Mr. Gerry,	*ay*	*
	Mr. Lovell,	*ay*	
Rhode-Island,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	*ay*
New-Jersey,	Mr. Witherspoon,	*ay*	*ay*
	Mr. Clark,	*ay*	
Pennsylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Clingan,	*ay*	
	Mr. J. B. Smith,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Forbes,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,		
North-Carolina,	Mr. Penn,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*ay*	*ay*
Georgia,	Mr. Langworthy,	*ay*	*ay*
	Mr. Wood,	*ay*	

So it was resolved in the affirmative.

Congress proceeded in the report; whereupon

Resolved, That all officers in the army shall take and subscribe the foregoing oath or affirmation before the commander in chief, or any major general or brigadier general:

That all officers of the navy shall take and subscribe the same before one of the commissioners of the navy boards, or

or before a judge or juſtice of the peace of the ſtate wherein they reſpectively reſide or ſhall receive their commiſſions or warrants:

That all perſons holding any civil office of truſt or profit under the Congreſs of theſe United States ſhall take and ſubſcribe the ſaid oath or affirmation before a judge or juſtice of the peace of the ſtate wherein they reſpectively reſide:

That every officer having the diſpoſal of public money, or who is or ſhall be intruſted with the charge or diſtribution of public ſtores, ſhall, at the time of taking and ſubſcribing the foregoing oath or affirmation, alſo take an oath or affirmation of office in the following words, viz.

"I, do ſwear (or affirm) that I will faithfully, truly and impartially execute the office of to which I am appointed, and render a true account, when thereunto required, of all public monies by me received or expended, and of all ſtores or other effects to me intruſted, which belong to the United States; and will in all reſpects diſcharge the truſt repoſed in me with juſtice and integrity, to the beſt of my ſkill and underſtanding."

That every officer taking the foregoing oaths or affirmations, or either of them, ſhall obtain from the perſon adminiſtering the ſame, duplicate certificates, ſpecifying the time of his taking it or them, and alſo his name and rank or employment:

That every military officer ſhall deliver or tranſmit one of the certificates ſo obtained to the commander in chief or the commander of a department, or to ſuch perſon as by general orders ſhall be appointed to receive the ſame; and the ſaid commanding officers ſhall cauſe the certificates ſo received to be ſent to the ſecretary of Congreſs, and ſhall keep an exact liſt of the names of all officers whoſe certificates ſhall be received and forwarded, together with their ſeveral ranks and the times of their being qualified:

That every officer in the navy ſhall deliver or ſend one of the certificates by him obtained to the navy board moſt convenient, who are required to tranſmit the ſame, and alſo a certificate of their own qualifications to the marine committee, as ſoon as conveniently may be:

That

That every other perſon employed in any civil department or office, as above mentioned, ſhall ſend or deliver one of the certificates by him obtained to the ſecretary of the ſtate to which he belongs, or to ſuch other perſon or perſons as the governor or preſident of ſuch ſtate ſhall direct; and the governors or preſidents of the ſeveral ſtates are hereby requeſted to attend to this matter, and to cauſe the certificates when received to be tranſmitted to the ſecretary of Congreſs:

That each deponent or affirmant ſhall retain and keep the other certificate by him obtained, as a voucher of his having complied with what is hereby enjoined him.

Reſolved, That every officer, civil or military, now in office, ſhall take and ſubſcribe the qualification above directed within twenty days after notice hereof; and every perſon hereafter appointed to any office by or under the authority of the Congreſs of the United States of America, ſhall take and ſubſcribe the ſame previous to his acting in ſuch office: and every officer, who ſhall continue or preſume to exerciſe any commiſſion, civil or military, under the authority of the Congreſs of the United States of America, without taking the qualification in time and manner above directed, ſhall be caſhiered, and forfeit two months pay to the uſe of the United States of America, and be rendered incapable of ſerving in the army of the ſaid ſtates, and of executing thereafter any office under Congreſs.

And whereas many perſons employed as deputy or aſſiſtant commiſſaries or quartermaſters, or in other civil departments, are diſperſed in various parts of the continent, over whom neither Congreſs nor the head of their reſpective departments can have the immediate inſpection:

Reſolved, That it be recommended to the legiſlative and executive authority of every ſtate, to take effectual meaſures for preventing any perſon within their ſtates from exerciſing any office in the civil department of the army, or in any other civil department under Congreſs, who ſhall not, when thereunto required by any magiſtrate, produce a legal appointment to ſuch office, and a certificate of his having taken the foregoing oaths or affirmations, or who ſhall neglect or refuſe to take and ſubſcribe the ſaid oaths or affirmations within the time above limited.

Reſolved,

Resolved, That the resolutions passed the 21st day of October, 1776, prescribing the form of an oath or affirmation, and directing the same to be subscribed by officers holding commissions or offices from Congress, be and they are hereby repealed.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *February* 4, 1778.

A report from the board of war being laid before Congress, the same was taken into consideration; whereupon

Resolved, That the first paragraph relative to impowering the board of war and ordnance to contract for the casting of brass cannon, &c. be referred to a committee of four;

The members chosen Mr. Gerry, Mr. Dyer, Mr. Lovell and Mr. Ellery:

It was then moved, "That messieurs Coy, Pierre, Boichard, Parrison and Niverd, together with ten artillery serjeants and ten serjeants of artificers, being of the corps that came over with monsieur du Coudray, be retained in the service of the United States:"

Question put,

New-Hampshire,	Mr. Frost,	*no*	*no*
Massachusetts-Bay,	Mr. Gerry,	*ay*	*
	Mr. Lovell,	*ay*	
Rhode-Island,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Dyer,	*ay*	*ay*
New-Jersey,	Mr. Witherspoon,	*ay*	*divided*
	Mr. Clark,	*no*	
Pennsylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. J. B. Smith,	*ay*	
	Mr. Clingan,	*ay*	
	Mr. James Smith,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Forbes,	*ay*	*divided*
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*ay*	*
North-Carolina,	Mr. Penn,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*ay*	*ay*
Georgia,	Mr. Langworthy,	*ay*	*ay*
	Mr. Wood,	*ay*	

So it was resolved in the affirmative,

Resolved,

Reſolved, That monſieur Goy, monſieur Pierre, monſieur Boichard, monſieur Parriſon, and monſieur Niverd, be appointed captains of artillery, and receive the common appointments of that command while in America :

That the ſerjeants be appointed ſecond lieutenants of artillery with the common appointment of that command while in America.

Reſolved, That captain Iſaac Corren receive monthly twenty-five dollars additional pay, beſides his preſent appointments, in conſideration of his teaching the laboratory art to ſuch officers of artillery as ſhall be ſent to him for that purpoſe.

Ordered, That two thouſand dollars be advanced to captain Iſaac Corren, to pay his company of laboratory artillery men, and to recruit the ſaid company to one hundred men, agreeably to the directions of general Waſhington ; he to account for the expenditure to colouel Benjamin Flower, who is to be charged with the ſame.

Reſolved, That Mr. Penn be added to the committee on the ſtate of Georgia.

A letter of the 28th of January from Mr. M. Clarkſon was read, ſignifying his acceptance of the office of auditor, to which Congreſs have been pleaſed to appoint him.

A letter of the 20th of January from general Sullivan.

A letter of the 12th of January from A. Cary, ſpeaker of the ſenate, and George Wythe, ſpeaker of the houſe of delegates, of Virginia, and one of the 29th from the committee of Congreſs at the Camp, were read.

The committee on the treaſury brought in a report ; whereupon

Ordered, That a warrant iſſue on the commiſſioner of the continental loan-office for the ſtate of North-Carolina, for twenty thouſand dollars, in favour of the committee of commerce, to be by them tranſmitted to meſſieurs Hewes and Smith, for public ſervice ; the ſaid committee to be accountable.

Ordered, That a warrant iſſue on Nathaniel Appleton, eſquire, commiſſioner of the continental loan-office in the ſtate of Maſſachuſetts-Bay, for three thouſand dollars, in favour of the committee of commerce, to be by them tranſmitted to James Warren, eſquire, for public ſervice ; the ſaid committee to be accountable.

Ordered, That a warrant iſſue on the treaſurer in favour of William Buchanan, eſquire, commiſſary general, for

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three hundred and twelve thouſand dollars, of which two hundred thouſand dollars are to be tranſmitted to William Aylett, eſquire, deputy commiſſary general of purchaſes for the ſouthern diſtrict, and the reſidue, viz. one hundred and twelve thouſand dollars, for the uſe of the middle department; for which the ſaid commiſſary general is to be accountable.

Ordered, That a ſet of bills of exchange be drawn by the preſident on the commiſſioners in France, for ſix hundred livres tournois, in favour of lieutenant Fouquet, one of the officers of the late monſieur du Coudray's corps, it being for his gratification allowed by Mr. Deane and not included in the ſettlement with Mr. le Brun, on the 13th of November laſt; and that the two ſets of bills drawn on the commiſſioners aforeſaid, bearing date the 14th of November laſt, one in favour of captain Fouquet, for five hundred and ſeventy-three livres, and the other in favour of lieutenant Fouquet, for two hundred and eighty-ſeven livres tournois, be delivered to them, and be in full of their pay to the ſaid 14th of November laſt.

Adjourned to ten o'clock to-morrow.

THURSDAY, *February* 5, 1778.

Reſolved, That the committee on foreign applications be directed to examine into the circumſtances of the French officers who have been detained in this town, under a promiſe of having their expences borne until employed or until they can have a poſitive anſwer that they cannot be taken into the ſervice, and that the committee report what ſums ſhould be paid them.

Ordered, That the board of treaſury take into conſideration the ſervices of Charles Thomſon, eſquire, in executing the office of ſecretary of congreſs ſince the 10th day of May, 1776, the time he was laſt paid up to, and report an adequate allowance.

A letter of the 3d from the council of Pennſylvania, to the delegates of that ſtate in Congreſs, was laid before Congreſs and read.

The committee to whom was referred the propoſal of the board of war, reſpecting founderies: brought in a report; whereupon

Reſolved, That the board of war and ordnance be directed to lay before Congreſs an eſtimate of the expence of

of erecting and carrying on a foundery for braſs ordnance the number of perſons neceſſary to conduct the buſineſs, and the proper ſalaries for each.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant be drawn on the treaſurer in favour of Mr. Anthony Butler, agent to quartermaſter general Mifflin, for twelve thouſand dollars, for the uſe of three brigades of waggons about to be diſpatched to North-Carolina for cloathing; for which the ſaid quartermaſter general is to be accountable.

Ordered, That there be advanced to colonel Donald Campbell five hundred and thirty-three dollars and 30-90ths, for which he is to be accountable, and that a warrant iſſue on the treaſurer for the ſaid ſum.

Reſolved, That the pay of commiſſioners of accounts in the ſeveral departments be augmented to five dollars a day.

Reſolved, That the captain or commanding officer of each company in the ſervice of the United States ſhall, at the end of every month, furniſh the regimental paymaſter with a pay-roll, containing the names of the commiſſioned and non-commiſſioned officers and privates of the company, their rank, the time from and to which they are to be paid, their monthly pay, the ſums due to each, and a column for caſualties, in which is to be inſerted the dates of deaths, deſertions, diſcharges and captivities: and the ſeveral regimental paymaſters ſhall reſpectively keep true copies of ſuch pay-rolls, and cauſe the amount thereof to be added to the proper abſtracts of field and ſtaff officers, that the whole may be examined, as heretofore ordered by Congreſs.

Reſolved, that the treaſurer be directed to ſend to William Palfrey, eſquire, the money ordered on the 14th of January laſt, under ſuch eſcort as the board of war ſhall furniſh, the commanding officer of the eſcort to give his receipt for the ſame to the treaſurer, which receipt ſhall be cancelled by lodging with the treaſurer in lieu thereof the receipt of the paymaſter general.

The committee appointed on the 27th day of Auguſt, 1777, to collect evidence of the ſtate of the army in the northern department, and alſo of the ſtate of the troops, military ſtores and proviſions at the poſts of Ticonderoga

and

and Mount Independence, before and at the time when the evacuation was determined on, report,

"That they have made the fulleſt enquiry in their power into the ſeveral articles enumerated in the reſolve of Congreſs of the date above mentioned, and have collected a variety of evidence, which they are ready to tranſmit to general Waſhington:" whereupon

Reſolved, That the committee be directed to tranſmit the evidence by them collected to general Waſhington and that he be authoriſed and directed to appoint a court-martial for the trial of the general officers who were in the northern department when Ticonderoga and Mount Independence were evacuated, agreeably to the rules and articles of war:

That two counſellors learned in the law be appointed to aſſiſt and co-operate with the judge advocate in conducting the trial.

Congreſs proceeded to the election of two counſellors, and the gentlemen following were elected, viz.

Jonathan D. Sergeant, eſquire, attorney general for the ſtate of Pennſylvania;

William Patterſon, eſquire, attorney general for the ſtate of New-Jerſey.

Reſolved, That the commander in chief be directed to tranſmit to Congreſs the proceedings of all general courts-martial held on the trial of general officers.

Congreſs took into conſideration the letter of the 3d from the council of Pennſylvania to their delegates in Congreſs; whereupon

Reſolved, That a committee of three be appointed to take into conſideration the ſaid letter; that the board of war be directed to lay before the ſaid committee the whole of their proceedings in conſequence of the reſolution of Congreſs of the 15th of January laſt, for the laying up magazines of flour for the uſe of the army; and that the ſaid committee report as ſoon as may be what meaſures ſhould be taken for that purpoſe;

The members choſen Mr. M'Kean, Mr. Henry and Mr. Ellery.

A letter of the 3d from general Waſhington was read.

Congreſs took into conſideration the report of the board of war of the 28th of January; whereupon

Reſolved, That the following plan be adopted for carrying into immediate execution the important buſineſs of the quartermaſter general:

1ſt.

1ſt. The military line, to be ſtiled the quartermaſter general's, which is to include the regulating of marches, encampments, order of battle, &c. &c. as deſcribed in the books of the profeſſion:

This officer not to have the diſpoſal of public money, except ſmall occaſional ſums for defraying petty expences in the army.

2d. The commiſſary of forage, who is to be confined to that article in his purchaſes.

3d. The commiſſary for horſes and waggons.

4th. The agent for the purchaſe of tents, intrenching tools, building of barracks, and for all the ſmaller ſupplies of the department.

The three laſt to be governed in their purchaſes by the eſtimates and orders of the quartermaſter general or the board of war.

Ordered, That the board of war prepare ſuitable regulations for the quartermaſter general's department, agreeable to the foregoing plan.

The board of war having returned the memorial of lieutenant colonel Dyer, with their opinion thereon, Congreſs took the ſame into conſideration; and thereupon

Reſolved, That general Waſhington be directed to extend lieutenant colonel Dyer's furlough to the firſt of April; and if at that time he ſhall not have recovered his health ſo as to be able to take the field, that his reſignation be then accepted.

A letter of January the 13th from major general Heath at Boſton, with ſundry papers incloſed, was read:

Ordered, That the ſame be referred to the board of war.

Adjourned to ten o'clock to-morrow.

FRIDAY, *February* 6, 1778.

Reſolved, That a committee of three be appointed as a committee of intelligence, with power to extract and publiſh ſuch parts of letters and intelligence referred to them as they ſhall judge proper;

The members choſen Mr. J. B. Smith, Mr. Lovell and Mr. Henry.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the delegates of the Delaware ſtate, for ten thouſand

ſand dollars, to be tranſmitted to the honorable George Read, eſquire, vice preſident of the ſaid ſtate, for the purpoſe of recruiting the Delaware battalion; the ſaid ſtate to be accountable.

Ordered, That a warrant iſſue on the treaſurer for one hundred thouſand dollars, in favour of William Palfrey, eſquire, paymaſter general, to be tranſmitted to him by the treaſurer for the uſe of the army, and that the treaſurer take a receipt for the money from the officer who is to convey the ſame, and that the officer bring back a receipt from the paymaſter general, to be lodged with the treaſurer; the paymaſter general to be accountable.

Congreſs took into conſideration the report of the committee to whom were referred the letters from doctor Shippen, doctor Ruſh, and others; and thereupon came to the following reſolutions:

For the better regulating the hoſpitals of the United States,

Reſolved, That there be a deputy director general for the hoſpitals between Hudſon's and Potowmack rivers; and that the ſuperintending care of the director general be extended equally over the hoſpitals in every diſtrict, and that he be excuſed from the duty of providing ſupplies, when the deputy director general ſhall be ready to enter upon the office:

That the ſeveral officers of the hoſpitals ſhall ceaſe to exerciſe ſuch of their former powers as are herein aſſigned to other officers thereof:

That in the abſence of the director general from any diſtrict, the phyſician general and ſurgeon general ſhall hereafter determine the number of hoſpitals to be provided by the deputy director general for the ſick and wounded, and ſhall ſuperintend and controul the affairs of ſuch hoſpitals:

That the director general ſhall conſult with the phyſician general and ſurgeon general in each diſtrict, about the ſupplies neceſſary for the hoſpitals, and ſhall give orders in writing to the deputy director general thereof to provide the ſame; and, in the abſence of the director general, the phyſician general and ſurgeon general ſhall iſſue ſuch orders:

That each deputy director general ſhall appoint one or more of the aſſiſtant deputy directors under him to the ſole buſineſs of providing beds, furniture, utenſils, hoſpital

pital cloathing, and ſuch like articles; and ſhall appoint one or more to provide medicines, inſtruments, dreſſings, herbs, and neceſſaries of a ſimilar kind:

That the director general ſhall frequently viſit the hoſpitals in each diſtrict, and ſee that the regulations are carried into effect; ſhall examine into the number and qualifications of the hoſpital officers, report to Congreſs any abuſes that may have taken place, and diſcharge the ſupernumerary officers, if there be any, that all unneceſſary expence may be ſaved to the public: and when the director general is in any particular diſtrict, the phyſician general and ſurgeon general in that diſtrict ſhall not appoint any officers without his conſent:

That, on the ſettlement of hoſpital accounts, the officers entruſted with public money ſhall produce vouchers to prove the expenditure, and receipts from the proper officers of the hoſpitals, ſpecifying the delivery of the ſtores and other articles purchaſed; and the apothecaries, mates, ſtewards, matrons and other officers, receiving ſuch ſtores and other articles, ſhall be accountable for the ſame, and ſhall produce vouchers for the delivery thereof from ſuch officers, and according to ſuch forms as the phyſicians general and ſurgeons general have directed, or ſhall from time to time direct; which forms and directions the phyſicians and ſurgeons general ſhall report to the board of treaſury:

That the director general, or, in his abſence from the diſtrict, the phyſician general and ſurgeon general, ſhall appoint a ward-maſter for each hoſpital, to receive the arms, accoutrements and cloathing of each ſoldier admitted therein, keeping entries of and giving receipts for ſuch articles, which, on the recovery of the ſoldier, ſhall be returned to him, or, in caſe of his death, the arms and accoutrements ſhall be delivered to the commiſſary or deputy commiſſary of military ſtores, and receipts be taken for the ſame; and the ward-maſter ſhall receive and be accountable for the hoſpital-cloathing, and perform ſuch other ſervices as the phyſician general or ſurgeon general ſhall direct:

That the phyſician general and ſurgeon general ſhall hereafter make no returns to the deputy directors general, but the returns ſhall be made by the ſaid officers reſpectively to the director general, who ſhall carefully tranſmit copies of each with his monthly return to Congreſs,

greſs, and ſuſpend ſuch of the officers aforeſaid as neglect this or any other part of their duty, and ſhall report their names to Congreſs:

That the director and deputy directors general forthwith prepare their accounts, and adjuſt them with the commiſſioners of claims:

That four dollars a day, and the former allowance of rations, be hereafter allowed to each aſſiſtant deputy director and the commiſſary of the hoſpitals in each diſtrict; and one dollar a day, and two rations, to each ward-maſter:

Reſolved, That doctor Potts be called from the northern diſtrict, and appointed to act as deputy director general in the middle diſtrict.

Reſolved, That the eldeſt aſſiſtant deputy director in the northern diſtrict ſhall execute the office of deputy director general in the ſaid diſtrict, until the further orders of Congreſs:

That the ſalaries of the hoſpital officers, and debts contracted for the hoſpitals of the middle diſtrict to the time of doctor Potts's entering upon the office of deputy director general therein, ſhall be adjuſted and paid by the director general, who ſhall deliver all the public ſtores in his poſſeſſion to the deputy director general or his order, taking duplicate receipts for the ſame, and tranſmitting one of each to the board of treaſury; and the ſame rule ſhall be obſerved by doctor Potts with reſpect to the ſalaries and debts of the hoſpital of the northern diſtrict, and the public ſtores thereof, which are to be delivered to his ſucceſſor in office in that diſtrict.

Congreſs proceeded to the election of a phyſician general in the middle diſtrict, in the room of doctor Ruſh, and the ballots being taken,

Doctor William Brown was elected.

The committee to whom was referred the report of the committee appointed to conſider the propoſals contained in a letter to general Waſhington from the committee ſent to Camp, brought in a report; whereupon Congreſs came to the following reſolutions:

Whereas it has been found by experience that the mode adopted by a reſolution of Congreſs of the 29th of April, 1777, for calling to account ſuch officers as have been intruſted with public money, for recruiting continental battalions, has not had the deſired effect; and it

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is eſſential to the liberties of the United States that due attention ſhould be paid to the expenditure of their public monies, to enable them to ſupport the war, and avoid that ſyſtem of corruption and tyranny which prevails in the government of their unnatural enemies:

Reſolved, That the reſolution aforeſaid, excepting that part thereof that impowers the commiſſioners of claims and accounts to adminiſter oaths and affirmations, be repealed.

That a ſuitable number of auditors of accounts be appointed by Congreſs for the armies of the United States:

That it ſhall be the duty of each auditor to reſide in the army to which he is appointed, and not to be abſent without the leave of the commanding officer—to call to account all regimental officers for public money, which they ſhall have received and have not accounted for—to receive from time to time the pay-rolls and abſtracts of the army from the paymaſter or deputy paymaſter general, who ſhall previouſly examine and certify thereon the ſums that are due—to ſettle all other accounts of the army, excepting thoſe in the departments of the quartermaſter, paymaſter, director, cloathier, or barrackmaſter general, and of the commiſſaries general of proviſions, priſoners and military ſtores—to certify the ſums that may appear to be due on any accounts, and to preſent ſuch accounts and abſtracts to the commanding officer, who ſhall thereupon, unleſs he has good reaſon to the contrary, iſſue proper warrants on the paymaſter or deputy paymaſter general in diſcharge thereof:

That it be recommended to the legiſlatures of the reſpective ſtates forthwith to tranſmit to the board of treaſury duplicate accounts of all monies heretofore advanced by them for the United States, to regimental paymaſters or other officers of the army: that the board of treaſury be directed to order a record to be kept of ſuch accounts, charging the proper officers therewith; and that each ſtate ſuſtain the loſs which may ariſe from the detention of its accounts aforeſaid after the firſt day of July next:

That the auditor general, commiſſioners of accounts, paymaſter and deputy paymaſters general, and ſuch other continental officers as may have monies charged in their offices to perſons who are to account with the reſpective auditors, be directed to ſend, on or before the firſt day of

May

May next, and afterwards quarterly, to the reſpective auditors of the army, duplicate accounts of ſuch charges, and to furniſh them with the neceſſary papers and information when required for executing their office: and the ſaid auditors are ſeverally directed to obſerve the ſame rule with reſpect to each other, and alſo once a quarter to tranſmit to each of the officers aforeſaid duplicate liſts of the regiments, whoſe accounts they are to audit, and to the board of treaſury a liſt of accounts received from the ſeveral officers aforeſaid, together with the names of ſuch of the ſaid officers as ſhall have neglected to comply with this reſolve, in order that the board may have the proper informations, to the end that ſuch ſpeedy and effectual meaſures may be taken therein as may be juſt and neceſſary:

That the auditors ſhall keep fair and regular books conſtantly poſted, and ſhall charge therein all accounts referred to them for ſettlement by the preceding article, and all warrants drawn in favour of perſons who are accountable to them for the ſame: they ſhall alſo keep a fair record of all accounts diſallowed by them, and of ſuch as are allowed, but not ſtated in the ſaid books, in order to which and that the pay-rolls, abſtracts and accounts ſettled by the auditors may be filed in their reſpective offices, no warrant whatever ſhall be paid by the paymaſter or deputy paymaſter general, until the reſpective auditor ſhall have certified thereon that it has paſſed his inſpection, and that the accounts and vouchers thereto belonging are lodged in his office:

That each recruiting officer ſhall produce certificates from the muſtermaſter or deputy muſtermaſter general, ſpecifying the number of non-commiſſioned officers and ſoldiers, and if officers of the light horſe, the number of horſes, arms and equipage belonging to their reſpective regiments, companies or troops, together with ſuch vouchers as ſhall be neceſſary to prove the ſums expended for theſe articles, the ſubſiſtance of the troops before their joining the army, the loſs of money by death, deſertions of non-commiſſioned officers or ſoldiers before muſter, or other neceſſary expences, agreeably to the reſolves of Congreſs in ſuch caſe provided:

That if any officer ſhall not, within one month after application for that purpoſe, render his account to the proper auditor, or ſhall be guilty of withholding or em-

bezzling the public money, ſuch auditor ſhall make report thereof to the commanding officer of the army, who ſhall order a court-martial on ſuch officer, in order that he may be dealt with according to the rules and articles of war in that caſe provided:

That each regimental paymaſter or other officer of the army ſhall, upon ſettlement of his account, refund all ſums of money, which he has drawn for, but not paid to, priſoners, deſerters and men who have died in the ſervice; and the auditor ſhall keep an alphabetical record of the names of ſuch priſoners, deſerters and dead men, together with the ſums received on account of each; and upon application of any priſoner or his agent, or the widow, adminiſtrator or executor of any ſuch dead man, or of any officer in the ſame regiment, in whoſe debt ſuch deceaſed perſon may have died, and whoſe account is properly atteſted, the ſaid auditor is impowered to report to the commanding officer an allowance not exceeding the ſums received on account of ſuch priſoner or dead man; and the commiſſary and deputy commiſſary general of priſoners are directed to make out a liſt of the ſaid officers and ſoldiers who are priſoners with the enemy, when required by the reſpective auditors:

That whenever it ſhall appear to any of the ſaid auditors, upon the ſettlement of an account in their office, that a balance is due to the United States, or to priſoners, deſerters, or on account of men who have died in the ſervice, the ſum being aſcertained ſhall be paid by the perſon who owes it to the paymaſter or deputy paymaſter general, who ſhall give a receipt for the ſame on the ſaid account, and two other receipts of the ſame tenor and date, to be lodged with the auditor; and upon the delivery thereof ſuch auditor ſhall diſcharge the ſaid account, and recording the receipts ſhall tranſmit one of them to the board of treaſury, that the money may be charged to the officer receiving it:

That the auditors be impowered to adminiſter oaths or affirmations to perſons examined by them in the execution of their office:

That all officers of the United States be, and they are hereby required, to give protection and countenance to the auditors aforeſaid in the diſcharge of their duty:

That the quartermaſter general and his deputies be reſpectively directed to provide the auditors in each army with

with a convenient houſe near Head-Quarters, and that no other officers be quartered therein:

That for the preſervation of the public papers the quartermaſter general or his deputies ſhall provide for the auditors in each army a good covered waggon, with horſes under their direction, and the ſaid auditors ſhall alſo be provided with ſuitable guards for the ſame purpoſe:

That each auditor be allowed four dollars and three rations per day during the continuance of his office, and forage for one horſe:

That Matthew Clarkſon and major John Clark be appointed auditors for the army under the command of general Waſhington; and that they be authoriſed to appoint two clerks, and allow each of them fifty dollars a month and two rations a day.

Reſolved, That the remainder of the report be poſtponed.

Adjourned to ten o'clock to-morrow.

SATURDAY, *February* 7, 1778.

The committee appointed to examine into the circumſtances of the French officers who have been detained under a promiſe of having their expences borne until employed, or until they can have a poſitive anſwer that they cannot be taken into the ſervice, report "that baron Frey has incurred an expence of three hundred and forty-ſix dollars and 60 90ths, and Mr. Crenis of four hundred and ſixteen dollars, in conſequence of ſuch promiſe, and ought to be paid thoſe ſums ſeverally by warrants on the continental treaſurer:"

Ordered, That the ſaid ſums be paid.

Reſolved, That the committee at Camp be directed to conſult with general Waſhington and report to Congreſs proper perſons for filling the offices in the ſeveral departments of the quartermaſter general.

A letter of the 29th of January from colonel David Maſon, and a letter of the 27th of January from governor Henry of Virginia to the delegates of that ſtate, were laid before Congreſs and read:

Ordered, That the former be referred to the board of treaſury, and the latter to the board of war.

Adjourned to ten o'clock on Monday.

MONDAY,

MONDAY, *February* 9, 1778.

Mr. Nathaniel Scudder, a delegate from New-Jerſey, attended and took his ſeat in Congreſs.

A letter of this day from John de Kermovan, colonel, was read, deſiring to be promoted to the rank of brigadier, and intimating his deſire to quit the ſervice, if his requeſt is not granted: whereupon

Reſolved, That Congreſs do not think it conſiſtent with the good of the ſervice to promote colonel Kermovan to the rank of brigadier, and that the committee on foreign applications inform colonel Kermovan that Congreſs have no farther occaſion for his ſervice.

A letter of January the 11th from major general Arnold at Albany, with ſundry papers incloſed, was read:

Ordered, That the ſame be referred to the board of war.

A letter of January the 15th from H. Marchant, at South-Kingſton, ſtate of Rhode-Iſland, was read:

Ordered, That it be referred to the board of treaſury.

A letter of January the 26th from governor Livingſton of New-Jerſey, dated at Morris-Town, was read.

The committee of commerce laid before Congreſs ſundry letters, which were read and returned to the ſaid committee; whereupon

Reſolved, That the committee of commerce be impowered and directed to write to the commiſſioners at the court of France, deſiring them to appoint one or more ſuitable perſons to be commercial agents for conducting the commercial buſineſs of the United States in France and other parts of Europe.

Reſolved, That it be recommended to the ſupreme executive powers of every ſtate to give attention to the conduct and behaviour of all continental officers, civil or military, in the execution of their reſpective offices; that the ſaid executive powers be authoriſed to ſuſpend from pay and employment, for miſbehaviour or neglect of duty, within their reſpective ſtates, any officer of the ſtaff or other civil officer aforeſaid, not immediately appointed by Congreſs, and to make a temporary appointment in his place if neceſſary, and to remove ſuch of the ſaid civil officers as ſhall appear to be ſupernumerary, forthwith reporting in either caſe their proceedings to Congreſs: that in caſe of any reprehenſible conduct in any other officer of the United States, it be recommended to the executive powers aforeſaid to enquire into the circumſtances of the

caſe,

caſe, and if in a civil officer appointed by Congreſs, to tranſmit an account thereof to Congreſs; if in a military officer, to lay the ſame as ſoon as poſſible before the commander in chief or commanding officer of the department.

Reſolved, That it be recommended to the legiſlatures of the ſeveral ſtates to enact laws for the moſt ſpeedy and effectual recovery of debts due to the United States of America.

Reſolved, That the preſident write to Mr. J. Wadſworth, and requeſt him to attend Congreſs on matters of conſequence:

That the board of war be directed forthwith to enquire into the cauſes of the deficiences in the department of the commiſſary of purchaſes, and report to Congreſs.

Adjourned to ten o'clock to-morrow.

TUESDAY, *February* 10, 1778.

Reſolved, That the board of war be directed to enquire into the conduct of all ſtrangers of ſuſpicious characters, or whoſe buſineſs is not well known and approved, who may come to the place where Congreſs ſits, and to take care that the public receive no damage by ſuch perſons.

A report from the board of war, on the department of the commiſſary general of military ſtores, was laid before Congreſs, and after ſome time ſpent thereon,

Adjourned to three o'clock.

Three o'clock, P. M.

Congreſs proceeded to conſider farther the report of the board of war, on the department of the commiſſary general of military ſtores; but not having time to go through the ſame,

Reſolved, That the conſideration thereof be poſtponed till to-morrow.

Reſolved, That another chaplain be choſen for the hoſpital in the middle department: the ballots being taken,

The reverend James Sprout was elected.

The delegates from North-Carolina laid before Congreſs a reſolution of the general aſſembly of that ſtate, recommending colonel Jethro Sumner and colonel Thomas Clark, of the North-Carolina forces, to be elected brigadiers.

A letter of February 8th from captain Bedaulx was read.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *February* 11, 1778.

A letter of the 6th from the board of war was read:

Ordered, That it be referred to the board of treasury.

A letter of the 10th from major John Clark was read, mentioning his acceptance of the office of auditor, to which Congress has been pleased to appoint him.

A petition from colonel John Chandler, of the continental forces, was laid before Congress and read, setting forth that "he labours under a disorder which renders "him unable to do his duty in the field," and expressing his apprehension "that the fatigues of the camp will "prove fatal to him," and therefore praying "that he "may have leave to resign his commission:" whereupon

Resolved, That colonel John Chandler have leave to resign his commission.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of monsieur Fleury, for two hundred dollars, for the payment of a horse, and in lieu of one he had killed in the public service, and that this sum be paid to John Penn, esquire:

That a warrant issue on the treasurer in favour of John Gibson, esquire, auditor general, for thirteen thousand dollars, to enable him to discharge the residue of a warrant of the 1st of September last in favour of the delegates of Georgia; he to be accountable:

That a warrant issue on the treasurer for one hundred and twenty-six dollars and 60-90ths, in favour of J. B. Smith, esquire, the amount of his account of pay and rations as mustermaster general of the flying camp and militia in 1776, as settled by John Wilcocks and Peter Chevalier, esquires, a committee appointed by Congress for settling the militia accounts.

A letter of the 29th of January from William Aylett, esquire, to William Buchanan, commissary general of purchases, was laid before Congress and read:

Ordered, That it be referred to a committee of three;

The members chosen Mr. F. L. Lee, Mr. Lovell and Mr. Penn.

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The committee to whom the letter of the 2d from major general Gates was referred, brought in a report, which was taken into consideration; whereupon Congress came to the following resolution:

Whereas general Gates has hitherto retained his aids de camp and secretary in his family, having expectations in a short time again to take the field; and whereas the removal of his family to York-Town, and their manner of living in a public house, has been unavoidably very expensive, before he could procure a house for them:

Resolved, That a warrant issue on the treasurer, payable to general Gates, for one thousand three hundred and thirty-three dollars and 1-3d, in order to reimburse his extraordinary expences incurred in the public service.

Congress resumed the consideration of the report of the board of war, on the department of the commissary general of military stores; whereupon

Resolved, That there shall be one commissary general of military stores, whose business it shall be to receive and deliver all arms, ammunition and accoutrements of every species and denomination—to provide and contract for all such articles as may be wanted in this department, according to the direction he shall receive from the board of war and ordnance—to receive and collect returns from all the different states where there are any continental arms and stores, draw them into one general return, and on the first day of every month deliver one to the board of war and ordnance:

In case of vacancy occasioned by death, resignation or otherwise, of any of the commissaries, commissary's deputies or conductors, which may happen in any department near to where the commissary general may be, he shall have permission to fill such vacancy pro tempore, until it shall be confirmed or disapproved by Congress:

All monies to be drawn on account of military stores to be by application of the commissary general or his deputies to the board of war and ordnance; and all monies so drawn to be accounted for by him once in every six months to the board of treasury, or to such auditors or commissioners as the said board shall direct. All commissaries, deputy commissaries or conductors, who may have money

money advanced them by the commiſſary general for the uſe of their ſeveral departments, to keep regular accounts, and produce vouchers and receipts for the ſums paid, and account for the ſame to the commiſſary general once every month, or as often as called for.

All continental armourers ſhall be under the direct ion of the board of war and ordnance, and of the commiſſary general of military ſtores; the armourers to receive from the ſaid commiſſary all arms to be repaired, make returns of the ſtate of repairs when demanded, and deliver the arms when repaired into his ſtore: the principal armourer or armourers at each and every armoury to be accountable for all ſuch arms as he or they ſhall receive, until they are repaired and delivered to the commiſſary general, his deputies or aſſiſtants; and the ſaid commiſſary general ſhall ſee that every method is taken by the armourers to haſten the repairs of the arms: the principal armourers to receive money from the commiſſary general for the contingent expences of their departments, and the commiſſary general ſhall produce their accounts and vouchers at the adjuſtment of his accounts:

That there be as many deputies, aſſiſtants, commiſſaries, deputy commiſſaries, conductors and clerks, as the exigency of the ſervice ſhall require, to be appointed by the board of war and ordnance; and the ſaid board are from time to time to report all ſuch appointments to Congreſs:

That the pay of officers in the department of the commiſſary general of military ſtores be as follows:

Commiſſary general one hundred dollars per month and ſix rations a day; deputy commiſſaries general, of which there ſhall be one in each military diviſion of the ſtates, each ſeventy-five dollars per month and five rations per day;

			per day.
Commiſſaries each	60 dollars per	month and	4 rations,
Deputy commiſſaries	50 do.	do.	4 do.
Conductors	40 do.	do.	2 do.
Clerks	40 do.	do.	2 do.

The commiſſary general ſhall be allowed forage for two horſes; his deputies, aſſiſtants, commiſſaries and conductors to be allowed forage for one horſe each; and the captains of the artillery artificers reſpectively, when duty requires their travelling to collect materials, to have forage for one horſe:

That

That for the future no rank be annexed to the officers in this department, except they belong to the regiment of artillery artificers; and then their rank only to take place as officers of that corps; the pay alſo which they receive, as officers in that regiment, to be included in the pay herein ſettled for the officers of the commiſſary general's department:

That a return be made to the board of war and ordnance once every month of all officers employed in the civil branch of ordnance and military ſtores.

All commiſſaries, deputy commiſſaries, conductors and clerks, who ſhall have the ſeparate charge of any ſtores are, on the firſt day of every month, to make out an exact return of all cannon and military ſtores of every ſpecies and denomination, one copy whereof they ſhall tranſmit to the commiſſary general, who is to put them into one general return, as heretofore directed, and one other copy thereof the ſaid commiſſaries, deputy commiſſaries, conductors and clerks are to ſend to the board of war and ordnance.

All the artillery artificers that are or may be employed at any armories, laboratories, foundaries or military magazines (thoſe employed with the army in the field excepted,) ſhall be under the immediate direction and ſubject to the orders and command of the commiſſary general, or the officer directed by him to take charge of the ſame.

The quartermaſter general, his deputies and aſſiſtants, ſhall give the commiſſary general every aſſiſtance of teams for the removal of public ſtores, and in caſe there be no quartermaſter in the department or place from whence the ſtores are to be removed, the commiſſary general ſhall have power to procure teams in the way and manner that will beſt promote the public ſervice.

All officers, artificers and others in the ordnance and military department ſhall be governed by the rules and articles of war, in the ſame manner as other officers in the artillery of the United States.

The commiſſary general ſhall give ſuch forms or returns and inſtructions to his deputies, aſſiſtant commiſſaries, conductors, &c. as the ſervice and ſituation of their department ſhall require; and all officers in this department are to attend to ſuch orders and inſtructions as they ſhall receive from time to time from the board of war and ordnance or the commiſſary general.

All regulations incidental to the department, and not enlarging the powers and authorities here given, ſhall be ſettled and made by the board of war and ordnance.

The board of war and ordnance ſhall tranſmit from time to time, as the ſervice ſhall render neceſſary, tranſcripts of all returns received from the commiſſary general of military ſtores, and alſo accounts of all ordnance and ſtores under their care or belonging to the United States, and the places where the ſame are depoſited, to the commander in chief of the armies of the United States, in order that he may make ſuch requiſitions of ſupplies for the army under his immediate command, or for the ſeparate departments as he ſhall think proper, and give ſuch advice and directions as to the diſpoſition of them as circumſtances may from time to time require.

The commanding officer of artillery for the time being in the grand army, with the chief engineer, commiſſary of artillery, and eldeſt colonel of artillery in camp, or ſuch of them as are preſent with the army, ſhall be a ſubordinate board of ordnance, under the direction of the commander in chief or the board of war and ordnance, for tranſacting all buſineſs of the ordnance department neceſſary to be done in the field, and to have the care of all ordnance and ſtores at camp; and in caſe of ſudden exigency the commiſſary general of military ſtores ſhall be obliged to obey their directions as to any ſupplies wanted by the army out of the ſtores not in camp: and the ſaid board ſhall correſpond with and report their proceedings to the board of war and ordnance, from whom they are to receive any neceſſary aſſiſtance.

Reſolved, That the pay of colonel Benjamin Flower's corps of artillery artificers ſhall be, for all thoſe who engage to ſerve the United States as ſuch for three years or during the war, twenty dollars a month, beſides the ſame bounty, cloathing and every other benefit allowed by Congreſs to the continental artillery; the officers the ſame pay as others of equal rank in the continental artillery: and that colonel Flower augment the four companies ordered to be raiſed in January laſt, add other companies to the ſaid regiment, and if neceſſary encreaſe the pay of officers and men in the ſame, agreeable to ſuch orders as have been given for that purpoſe by general Waſhington; and that he be required forthwith to tranſmit a copy of ſuch orders to Congreſs.

That

That if the exigency of the ſervice makes it neceſſary to employ at any time or place more artificers than the commiſſary may have inliſted or can inliſt, then he, his deputies or aſſiſtants, may engage them for the time of ſuch neceſſity on the moſt reaſonable terms poſſible, with the approbation of the board of war and ordnance.

Reſolved, That colonel Flower receive the pay and rations of a colonel from the 16th of July, 1776, to this 11th day of February, 1778.

Reſolved, That a commiſſion of captain in colonel Flower's regiment of artillery artificers be granted to Wollory Meng, dated the 1ſt of April, 1777:

That captain lieutenant Thomas Wylie be promoted to the rank of captain of an additional company to be raiſed in the ſaid regiment of artillery artificers, his commiſſion to be dated the 1ſt of February, 1778.

Reſolved, That the board of war and ordnance be impowered to make a contract with Mr. Byers, as ſuperintendant of a foundery of braſs cannon.

Reſolved, That captain Ferdinand de Brahm, who has heretofore acted as an engineer in the ſtate of South-Carolina, be appointed an engineer in the continental eſtabliſhment, with the rank of major in the armies of the United States.

Reſolved, That Nicholas Rogers, eſquire, aid de camp, have a commiſſion of major, to rank from the 12th day of May, 1777, in the ſervice of the United States.

On motion

Reſolved, That a warrant iſſue on the treaſurer for two months pay to be advanced to colonel Thomas Hartley, for his regiment now in York-Town.

Reſolved, That the board of war be directed to take the moſt proper meaſures for recruiting colonel Hartley's regiment.

A letter from monſieur Kermovan was read:

Ordered, That it be referred to the board of treaſury.

Adjourned to ten o'colck to-morrow.

THURSDAY, *February* 12, 1778.

A letter from monſieur de Roche Fermoy was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 9th from John Purviance was read, deſiring leave, on account of the ſituation of his family,

to

to reſign his office of manager of the United States lottery:

Reſolved, That he have leave to reſign.

Ordered, That the letter be referred to the board of treaſury.

A letter of the 11th of January from governor Caſwell, of North-Carolina, incloſing ſundry reſolutions of the general aſſembly of that ſtate, was read:

Ordered, That the letter be referred to the board of treaſury.

A letter of the 10th from the board of war was read.

The committee appointed to take into conſideration the letter of the 3d from the ſupreme executive council of the ſtate of Pennſylvania, to the delegates of the ſaid ſtate, and the proceedings of the board of war upon the reſolution of Congreſs of the 15th of January, for laying up magazines of flour for the uſe of the army, brought in a report, which was taken into conſideration; whereupon

Reſolved, That three hundred thouſand dollars be tranſmitted to the preſident of the ſtate of Pennſylvania, to enable the commiſſioners appointed under the law of that ſtate for purchaſing proviſions for the army to execute their commiſſion, and that they account to the board of treaſury for the expenditure thereof.

Three o'clock, P. M.

The committee on the treaſury, to whom was referred a letter from the board of war, brought in a report, which was taken into conſideration; whereupon

Reſolved, That a proper perſon be appointed to act as ſecretary of ordnance and paymaſter to the board of war and ordnance:

That his ſalary ſhall be ninety dollars a month:

That the ſaid paymaſter ſhall anſwer all warrants drawn on him by the board of war and ordnance out of the money which he ſhall receive by orders of Congreſs, and ſhall keep fair accounts of his payments and make monthly returns thereof to the board of treaſury: he ſhall alſo tranſmit returns once a month or oftener to the paymaſter general, or other proper officer or officers, of all advances made to continental troops or militia in actual ſervice, in order that proper ſtoppages may be made:

That

That the board of war and ordnance ſhall from time to time make out the proper eſtimates of money to be advanced for the uſe of their department, and lay the ſame before Congreſs, and all monies granted by Congreſs on their application ſhall be applied to the purpoſes ſet forth in the ſaid eſtimate.

Congreſs proceeded to the election of a ſecretary of ordnance and paymaſter to the board of war and ordnance, and the ballots being taken,

Joſeph Nourſe, eſquire, was elected.

Ordered, That a warrant iſſue on the treaſurer for three hundred and ſixteen dollars, in favour of captain Reuben Lipſcomb, for the extra month's pay granted to the army under general Waſhington by the reſolution of the 29th of December laſt, and which is due to forty men of the 7th Virginia regiment now on their way to Virginia, who were regularly diſcharged on the 2d of February, and mentioned in a liſt ſigned by brigadier Woodford, and alſo to captain Lipſcomb who conducts them; he to give a receipt for the money and to account for the ſame.

The letter of the 9th of January from general Waſhington being ſent for from the board of war, the ſame was read; and a motion being made thereon,

Ordered, That the letter with the motion be referred to a committee of three;

The members choſen Mr. Clark, Mr. Dyer and Mr. Ellery.

Reſolved, That the board of war and ordnance be directed to be very cautious in recommending or giving any encouragement to foreign officers who have come of their own accord to ſeek employment in the army of theſe United States: that if the board ſhall find among ſuch foreigners any of eminent abilities and merit, who by their knowledge and experience can, in the opinion of the board, render eſſential ſervice to theſe ſtates in ſuch way as the board ſhall be able to point out, Congreſs expect the board will recommend them: and if any foreigners of rank and eminence in their own country ſhould offer their ſervices it is alſo expected that the board will report ſpecially reſpecting them: but as to all others, the board are directed to thank them for their offers of ſervice without ſuffering them to wait, and thereby incur expence by unneceſſary attendance.

Reſolved, That three hundred thouſand dollars ordered to be advanced to the preſident of Pennſylvania, be paid

to

to the delegates of that ſtate, to be by them tranſmitted to the ſaid preſident.

Adjourned to ten o'clock to-morrow.

FRIDAY, *February* 13, 1778.

A letter from Jonathan Hudſon at Baltimore was read:

Ordered, That it be referred to the board of treaſury.

The committee to whom was referred the letter of W. Aylett, eſquire, deputy commiſſary general of purchaſes in Virginia, brought in a report, which was taken into conſideration; whereupon Congreſs came to the following reſolution:

Whereas there is great danger of the armies of the United States being very much diſtreſſed, if the exportation of beef and pork from the ſtate of North-Carolina be not immediately prohibited; therefore

Reſolved, That the legiſlative and executive powers of the ſtate of North-Carolina be earneſtly requeſted immediately to lay an embargo on all beef and pork, except ſo much as may be neceſſary for the veſſel's uſe for the voyage and to take the moſt effectual meaſures to prevent the embargo from being evaded.

A letter of this day from the board of war was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Forbes, Mr. Clark and Mr. F. Lee.

The committee on the treaſury brought in a report; whereupon

Ordered, That the ten thouſand dollars ordered to be advanced to the board of war and ordnance, for contingent expences, on the 26th day of January laſt, be paid to Joſeph Nourſe, eſquire, paymaſter of the ſaid board, for the purpoſe before mentioned; the ſaid Joſeph Nourſe to be accountable.

The committee appointed to examine into the circumſtances of the French officers, who have been detained under a promiſe of having their expences borne, brought in a report, which was taken into conſideration; whereupon

Ordered, That nine hundred and ten dollars be paid to monſieur de la Balme, in full of all claims and demands againſt the United States, and that the committee on foreign applications inform monſieur de la Balme that Congreſs have no farther occaſion for his ſervices:

The

The committee on the treaſury brought in a report; whereupon

Ordered, That one hundred dollars be advanced to Charles Ciſt, to defray his expences to Baltimore, and to a paper mill on Gunpowder river, on the public account; he to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to doctor John Witherſpoon, for hay for the army, and wood for the hoſpital at Princeton, as appears by the certificate of Enos Kelſey, acting in the quartermaſter's department, four hundred and twenty-nine dollars and 30-90ths:

To Belcher P. Smith, for his ſervices as clerk in the ſecretary's office from the 6th of November to the 5th of February, incluſive, being three months, and for ſome neceſſaries purchaſed for the office, one hundred and ninety-ſeven dollars and 60-90ths:

To John Dunlap, for printing ſundry reſolves of Congreſs from the 31ſt of October, 1776, to the 10th of September, 1777, a balance of one thouſand one hundred and ſeventy-four dollars and 69-90ths:

To the reverend Mr. Lotbinier as chaplain in colonel Livingſton's Canadian regiment, from the 11th of January to the 10th of February, 1778, incluſive, for his pay, excluſive of rations, forty dollars:

To the eſtate of John Hart, deceaſed, for ſeventy-one meals victuals ſupplied the York county militia, which ought to be paid to his legal repreſentatives, ſeven dollars and 9-90ths:

To Andrew Nabinger, of the town of York, for victualing general Lee's guard in 1776, forty-four dollars and 59-90ths:

Ordered, That the ſaid accounts be paid.

Ordered, That the letter of the 29th of January from Mr. Aylett be referred to the committee of commerce and to the marine committee.

Three o'clock, P. M.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the paymaſter of the board of war and ordnance, for twenty-five thouſand dollars, to be by him tranſmitted to

Benjamin

Benjamin Harriſon, eſquire, deputy paymaſter general in the ſouthern department; for which the ſaid B. Harriſon is to be accountable.

Ordered, That a warrant iſſue on the treaſurer in favour of William Govett, for one thouſand dollars, for the purpoſe of paying expreſſes and incidental expences at the treaſury office; for which he is to be accountable.

Reſolved, That the treaſurer be directed to pay to Mr. Joſeph Nourſe, paymaſter to the board of war and ordnance, the warrant for three hundred and fifty thouſand dollars, dated the 14th of January laſt, and drawn by the preſident of Congreſs in favour of the board of war; one hundred thouſand of which to be tranſmitted to Ebenezer Hancock, eſquire, deputy paymaſter general in the eaſtern department, and two hundred and fifty thouſand to his aſſiſtant in the ſtate of Rhode-Iſland; and alſo another warrant dated the ſecond inſtant, drawn in favour of the ſaid board, for one hundred thouſand dollars, to be by him tranſmitted to the ſaid Ebenezer Hancock, who is to be accountable for both ſums.

Reſolved, That a warrant iſſue in favour of Charles Thomſon, eſquire, for three thouſand five hundred dollars, in conſideration of his faithful ſervices from the 10th of May, 1776, to the 10th of February, 1778, as ſecretary to the United States.

The committee on the ſtate of Georgia brought in a report, which was read:

Ordered, That the conſideration thereof be poſtponed till to-morrow.

Adjourned to ten o'clock to-morrow.

SATURDAY, *February* 14, 1778.

Reſolved, That a committee of three be appointed to reviſe the rules and orders for regulating the conduct of Congreſs in tranſacting buſineſs, and report ſuch farther rules and regulations as they may judge proper;

The members choſen Mr. Lovell, Mr. Witherſpoon and Mr. M'Kean.

The committee to whom the letter from the board of war was referred, report "that they have prepared ſun-
"dry reſolutions for forwarding the laying up magazines
"for the ſupply of the army, and preventing any inter-
"ference between the commiſſioners appointed for that
"purpoſe by an act of the general aſſembly of Pennſyl-
"vania

"vania and the ſuperintendants appointed by the board "of war," and that "it is their deſire that theſe reſolu- "tions, if agreed to by Congreſs, ſuperſede the report "of the committee on the letter of the third from the exe- "cutive council of Pennſylvania, and the proceedings "of the board of war on the reſolution of the 15th of "January, except what relates to the grant of three hun- "dred thouſand dollars to the preſident of the ſtate of "Pennſylvania:"

The reſolutions being read were agreed to as follows:

Whereas it is expedient and neceſſary to lay up maga- zines of proviſions for the ſupport of the army, and for that purpoſe Congreſs have directed twelve thouſand bar- rels of flour to be depoſited at or near Lancaſter, eight thouſand barrels at or near Reading, ſix thouſand barrels at or near Bethlehem, two thouſand barrels at Down- ings-Town, and two thouſand barrels at Pottsgrove; and whereas in conſequence of the recommendation of Con- greſs the general aſſembly of Pennſylvania have by a law appointed commiſſioners in each county within their ſtate to purchaſe or ſeize wheat, flour and other proviſions, &c. for the ſupply of the army, purſuant to ſuch orders as they ſhall receive from Congreſs:

Reſolved, That the preſident and executive council of the ſtate of Pennſylvania be deſired to iſſue the money with which they have been or ſhall be furniſhed by Con- greſs to the ſaid commiſſioners, in ſuch proportions as they ſhall think fit; that they inſtruct the commiſſioners on the eaſt ſide of Suſquehannah to proceed without de- lay in the execution of the truſt repoſed in them; and that they inſtruct them to which of the above mentioned places they ſhall convey the flour and other proviſions which they ſhall purchaſe or ſeize, in order to form the magazines aforeſaid:

That the ſaid executive council be authoriſed and re- queſted to appoint a ſuitable perſon at each of the above places, with ſuch a ſalary as they ſhall judge reaſonable, to inſpect, receive, ſtore and take care of the proviſions aforeſaid, and to iſſue the ſame upon the orders of the board of war, until Congreſs ſhall appoint other ſtore- keepers in their ſtead:

That the preſident and council aforeſaid be requeſted to cauſe a weekly return to be made to the board of war of the quantity of proviſions ſtored at each of the places above mentioned:

That the board of war give directions and orders to the commiſſioners appointed by the aforeſaid law in the ſeveral counties on the weſt ſide of Suſquehannah reſpecting the quantity of proviſions to be purchaſed or collected by them, and the places to which the ſame ſhall be conveyed; and that the ſaid board appoint a ſuitable perſon at each of the places they ſhall fix on, with ſuch a ſalary as they ſhall judge reaſonable, to inſpect, receive, ſtore and take care of the ſaid proviſions, and to iſſue the ſame upon the orders of the board of war:

That the commiſſioners aforeſaid be authoriſed to purchaſe every kind of proviſions and forage wanted for the army, not confining themſelves to the article of flour: that the ſaid commiſſioners deliver the live ſtock by them purchaſed to the order of the deputy commiſſary general of purchaſes, or his aſſiſtants, and the forage to the order of the commiſſary of forage, or his aſſiſtants, to whom ſeverally they are directed to ſend immediate notice, when ſuch purchaſes are made, and to take duplicate receipts upon the delivery, one of which they ſhall tranſmit to the board of war:

That the board of war be directed to correſpond from time to time with the preſident and council of Pennſylvania reſpecting the buſineſs aforeſaid, and if from the circumſtances or ſituation of affairs they ſhall judge it proper or neceſſary to leſſen the quantity of proviſions to be laid up between Suſquehannah and Delaware rivers, or to change the places of the magazines, that they communicate the ſame to the preſident and council, who are requeſted to attend thereto and to iſſue orders to the commiſſioners to govern themſelves accordingly.

And whereas the board of war have judged it expedient and neceſſary that a greater quantity of flour and other proviſions than was directed by the reſolution of Congreſs of the 15th of January, ſhould be purchaſed, and other magazines formed beſides thoſe above mentioned; and have agreeably to the powers veſted in them by the ſaid reſolution of the 15th of January, employed ſuperintendants for the purchaſe of flour, &c.

Reſolved, That the board of war proceed in that buſineſs, and that they direct their ſuperintendants to purchaſe ſuch farther quantities of flour and proviſions, and have them conveyed to and ſecured in ſuch places as the board ſhall direct; and that they inſtruct ſuch of their

ſuperintendants

ſuperintendants as may purchaſe in Pennſylvania to avoid claſhing with the commiſſioners appointed by the law of that ſtate, in the execution of their duty:

That the ſaid board be impowered to appoint a ſuitable perſon at each of the new magazines, which they ſhall eſtabliſh, with ſuch a ſalary as they ſhall judge reaſonable, to inſpect, receive, ſtore and take care of the proviſions purchaſed and conveyed thither by the ſaid ſuperintendants, and to iſſue the ſame upon the orders of the board of war:

That the ſuperintendants appointed by the board of war be allowed a commiſſion not exceeding two and an half per cent. on all purchaſes by them made, in full for their trouble and expences therein; and that in purchaſing they do not exceed the prices eſtabliſhed by the laws of the ſtates in which the purchaſes are made.

While this laſt was under debate, it was moved, and by a vote carried, that a queſtion be firſt taken on the following addition;

"And that the preſident and council of Pennſylvania be impowered to ſettle the pay or allowance to be made to the commiſſioners appointed by the law of their ſtate for their trouble and expence in purchaſing, ſeizing and collecting proviſions and forage not exceeding two and an half per cent. on the proviſions and forage by them ſo purchaſed or ſeized for the army:"

New-Hampſhire,	Mr. Froſt,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*no*	*no*
New-York,	Mr. Lewis,	*gave no vote.*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr Clark,	*ay*	
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Clingan,	*ay*	
	Mr. James Smith,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Forbes,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*no*	*
North-Carolina,	Mr. Penn,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*no*	*no*

Georgia,

Georgia,	Mr. Langworthy,	*no*	*no*
	Mr. Wood,	*no*	

So it was resolved in the affirmative.

The question was then put to agree to the resolution to which the last was moved as an addition

New-Hampshire,	Mr. Frost, *gave no vote.*		
Massachusetts-Bay,	Mr. Gerry,	*ay*	*
	Mr. Lovell,	*ay*	
Rhode-Island,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*no*	*no*
New-Jersey,	Mr. Witherspoon,	*ay*	*ay*
	Mr. Clark,	*ay*	
	Mr. Scudder,	*ay*	
Pennsylvania,	Mr. Roberdeau,	*ay*	*a*
	Mr. Clingan,	*ay*	
	Mr. James Smith,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Forbes,	*no*	*divided*
	Mr. Henry,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Langworthy,	*no*	*no*
	Mr. Wood,	*no*	

So it was resolved in the affirmative.

Adjourned to ten o'clock on Monday.

MONDAY, *February* 16, 1778.

Mr. Huntington and Mr. Wolcott, two of the delegates from Connecticut, attended and produced the credentials of their appointment, which were read as follows:

(L. S.) "At a General Assembly of the Governor and "Company of the State of CONNECTICUT, holden "at Hartford, by adjournment on the 11th of Octo- "ber, *Anno Domini* 1777.

"Resolved by this assembly, That Roger Sherman, "Eliphalet Dyer, Samuel Huntington, Oliver Wolcott, "Titus Hosmer, Oliver Ellsworth, and Andrew Adams, "esquires, be and they are hereby appointed delegates "to represent this state at the general Congress of the "United States of America for the year ensuing, and "until new be chosen and arrive in Congress, if sitting; "any one or more of them who shall be present in said "Congress are hereby fully authorised and impowered to

"represent

"represent this state in said Congress to counsel and advise, and resolve upon measures necessary to be taken "and pursued for the defence, security and preservation "of the rights and liberties of the said United States and "for their common safety: and of such their proceedings "and resolves they do transmit authentic copies from time "to time to the general assembly of the state.

"A true copy of record, examined by
"GEORGE WYLLYS, Secretary."

A letter of the 3d from James Wilkinson at Albany, and one of the 27th from general Heath at Boston, and one of the 26th of January from general Schuyler at Albany, with two papers inclosed, were read:

Ordered, That they be referred to the board of war.

A letter of the 20th and one of the 25th of January from Jonathan Trumbull, esquire, paymaster in the northern department, were read:

Ordered, That they be referred to the board of treasury.

A letter of the 24th of January from governor Trumbull was read, informing "that colonel Joseph Trum-"bull will, if Congress think fit to keep his seat vacant, "attend and take his seat at the board of war as soon as "his health will permit:"

Ordered, That the president inform the governor that Congress expect colonel Trumbull's attendance as soon as his health will permit.

A letter of the 30th of January from Thomas Cushing, esquire, president of a convention of committees from the New-England states, which met at New-Haven from the 15th to the 20th of January, with the proceedings of said convention, were read:

Ordered, That the same, together with the letter of the 11th from governor Caswell, with the resolutions inclosed, be referred to a committee of five;

The members chosen Mr. Witherspoon, Mr. Gerry, Mr. M'Kean, Mr. Lovell and Mr. Lee.

Sundry letters from the committee of Congress at Camp were read, viz. one of the 3d and one of the 5th, with five papers inclosed, one of the 6th, with a draught of proposed resolutions, and one of the 11th and one of the 12th.

The delegates of Pennsylvania laid before Congress a letter of the 7th from the council of their state, which was read, containing complaints against R. L. Hooper, esquire, deputy quartermaster general; *Ordered*,

Ordered, That it be referred to the board of war.

Ordered, That the letter of the 6th from the committee at Camp, ſo far as relates to the priſoners of the convention at Boſton, be referred to a committee of three, who are to confer with the board of war;

The members choſen Mr. Gerry, Mr. Wolcott and Mr. Ellery.

Three o'clock, P. M.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to Richard Peters, eſquire, late ſecretary to the board of war, his ſalary from the 13th of June 1776, to the 27th of November 1777, being one year five months and fourteen days, at eight hundred dollars per annum, eleven hundred and ſixty-four dollars and 40-90ths, and for his fee for proſecuting the appeal in the caſe of the ſhip Elizabeth, ſixty dollars; in all one thouſand two hundred and twenty-four dollars and 40-90ths; that he has received of the board of war in caſh nine hundred and twenty-eight dollars, and in firewood left at Lancaſter nine dollars, making in all nine hundred and thirty-ſeven dollars, leaving a balance due to Mr. Peters of two hundred and eighty-ſeven dollars and 40-90ths:

To Mr. Joſeph Nourſe, his ſalary as deputy ſecretary to the board of war, from the 10th of November 1777, to the 10th of February 1778, incluſive, being three months at ſixty-five dollars per month, one hundred and ninety five dollars; for caſh paid Will. Handen, expreſs to Lancaſter, four dollars; the whole amounting to one hundred and ninety-nine dollars:

To Cotlip Ziegler, for victualing Pennſylvania militia in July and Auguſt 1776, twenty dollars and 3-90ths:

Ordered, That the ſaid accounts be paid.

A letter from the board of war, with a letter from R. L. Hooper, and ſundry papers incloſed, was read:

Ordered, That they be referred to a committee of three;

The members choſen Mr. M'Kean, Mr. Clark and Mr. Scudder.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of brigadier de Roche Fermoy, for eight hundred dollars,

dollars, to enable him to pay the demands now againſt him, and procure a paſſage to the Weſt-Indies; and that his bills be taken for this ſum, and alſo for the balance that may appear to be due to the United States on an adjuſtment of his account at the board of treaſury, payable to the treaſurer of the United States, at the rate of one dollar for three, being the preſent exchange.

A letter of the 10th of January from governor Clinton of New-York, to Mr. Francis Lightfoot Lee, was laid before Congreſs and read:

Ordered, That it be referred to the board of war.

Another letter of the 16th from governor Clinton was read.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of New-York, for the ſum of fifty thouſand dollars, in favour of Jonathan Trumbull, junior, eſquire, deputy paymaſter general for the northern department; for which he is to be accountable.

Reſolved, That two millions of dollars be emitted under the direction of the board of treaſury, and on the faith of the United States:

That the bills ſhall, excepting the numbers, be of the ſame tenor and date as the emiſſion directed the 21ſt of January laſt, be numbered from the laſt number of each reſpective denomination of that emiſſion progreſſively, and conſiſt of the following denominations;

30770 bills of	2	dollars each, -	61540
30768 do. of	3	do. - -	92304
30768 do. of	4	do. - - -	123072
30768 do. of	5	do. - -	153840
30768 do. of	6	do. - - -	184608
30768 do. of	7	do. - -	215376
30770 do. of	8	do. - -	246160
30770 do. of	30	do. - -	923100

That all powers and duties of Michael Hillegas, eſquire, and of the inſpectors of the preſs, ſigners and printers of the emiſſion directed on the 10th of May laſt, ſhall extend to the ſaid two millions now to be emitted, ſubject however to ſuch directions and inſtructions as the board of treaſury may judge expedien .

Adjourned to ten o'clock to morrow.

TUESDAY,

TUESDAY, *February* 17, 1778.

A letter from the reverend Mr. Lotbinier was read:

Ordered, That it be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of captain Peter Dolliver, for two thouſand two hundred and forty-ſeven dollars and one third, in diſcharge of colonel Palfrey's draught of the 13th inſtant on the preſident of Congreſs, in favour of lieutenant colonel William Smith, and indorſed by him to the ſaid Dolliver for that ſum; William Palfrey, eſquire, to be accountable.

A letter of the 14th from major general Miffin at Reading was read.

The committee to whom was referred the letter from the board of war, with the letter from R. L. Hooper and others, brought in a report, which was taken into conſideration; whereupon Congreſs came to the following reſolution;

Whereas by the reſolutions of the 14th inſtant the commiſſioners appointed by the ſtate of Pennſylvania were authoriſed and directed to purchaſe and ſtore in magazines thirty thouſand barrels of flour on the eaſt ſide of Suſquehannah, and by a letter ſince laid before Congreſs from R. L. Hooper, Nathaniel Falconer, and Jonathan Miffin, junior, three of the ſuperintendants appointed by the board of war in purſuance of a reſolve of the 15th of January laſt, it appears that the ſaid ſuperintendants are making contracts for executing the buſineſs entruſted with the ſaid commiſſioners contrary to the intention of Congreſs, expreſſed in their ſaid reſolutions: and whereas it alſo appears by the aforeſaid letter that the above named ſuperintendants, without any authority, in direct violation of the laws of Pennſylvania, and contrary to the inſtructions given by the board of war, have preſumed to fix and aſcertain the prices of ſeveral other articles wanted in the army much higher than fixed by law in the ſtate, directing the quartermaſters to govern themſelves by ſuch illegal rates: therefore

Reſolved, That the board of war be directed immediately to recal and ſuſpend the ſaid R. L. Hooper, Nathaniel Falconer, and Jonathan Miffin, who are required to lay before Congreſs their proceedings and accounts.

On

On motion,

That the committee for foreign affairs be directed to write to the commiſſioners at Paris, and direct them, upon the application of the executive powers of any of theſe United States, to apply to the court of France for an extention of the leave of abſence to ſuch French officers as may be employed in the ſervice of ſuch ſtate:

New-Hampſhire,	Mr. Froſt,	*no*	*no*
Maſſachuſetts Bay,	Mr. Lovell,	*ay*	*
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*divided*
	Mr. Huntington,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*no*
	Mr. Clark,	*no*	
	Mr. Scudder,	*no*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. J. Smith,	*ay*	
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Forbes,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*
North-Carolina,	Mr. Penn,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*ay*	*ay*
Georgia,	Mr. Langworthy,	*ay*	*ay*
	Mr. Wood,	*ay*	

So it was reſolved in the affirmative.

A petition from James White was read:

Reſolved, That four members be added to the committee on appeals;

The members choſen Mr. M'Kean, Mr. Huntington, Mr. Henry and Mr. James Smith.

Ordered, That the foregoing petition be referred to the committee on appeals.

A petition from Peter Shultz, Francis Jones, and others, was read:

Ordered, That it be referred to the commiſſioners of claims.

The committee to whom was referred the letter of the 9th from general Waſhington brought in a report; whereupon Congreſs came to the following reſolution;

Whereas doubts have ariſen in the mind of general Waſhington, to whom the month's extra pay allowed to the army under his immediate command by the reſolu-

tion of Congreſs of the 29th of December laſt, ſhould be confined:

Reſolved, That the general be directed to order the ſame to be paid to all the continental forces under his immediate command at the time of paſſing the ſaid reſolution, whether in Camp, hoſpitals or on furlough, excepting all ſuch as were then abſent without leave regularly obtained, or who had abuſed the indulgence granted them.

Congreſs took into conſideration a report of the board of war of the 22d of July, on the letter of the 8th of the ſame month from brigadier R. Howe; whereupon

Reſolved, That brigadier R. Howe's appointment of Mr. Henry Purcell to be deputy judge advocate general for the ſtates of South-Carolina and Georgia be confirmed.

A letter of the 31ſt of January from governor Caſwell, of North-Carolina, was read:

Ordered, That it be referred to Mr. Lee and Mr. Lovell.

A letter of the 8th from general Waſhington, with ſundry letters incloſed, which paſſed between him and general Howe, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Gerry, Mr. M'Kean and Mr. Ellery.

Reſolved, That to-morrow be aſſigned for taking into conſideration the letters from the committee at Camp, reſpecting recruiting the army.

Mr. Lewis, one of the delegates from New-York, laid before Congreſs an account of monies expended by that ſtate for the ſupport of priſoners, with the vouchers:

Ordered, that they be referred to the board of treaſury.

Congreſs took into conſideration the report of the committee on the ſtate of Georgia; after debate

Ordered, That the farther conſideration thereof be poſtponed.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *February* 18, 1778.

A letter of the 18th and one of the 19th of January from general Heath at Boſton, with a letter to him from general Burgoyne, and his anſwer; and a letter of the 2d inſtant from brigadiers Poor and Patterſon, were read.

A

A letter of the 17th from the board of war was read; whereupon

Resolved, That it be recommended to the governor and council of the state of Maryland to embody a sufficient number of militia for guarding the prisoners to be stationed at Fort Frederick in that state; and that they also be requested immediately to appoint a commissary to purchase and supply the said militia with provisions during their service at that post:

That monsieur de Pontiere be appointed a captain of horse by brevet, and that monsieur de Ponceaux, secretary to the baron Steuben, have the brevet rank of a captain in the army of the United States:

That Congress approve the proceedings of the board of war with respect to baron Steuben.

Another letter from the board of war was read, inclosing a letter from Thomas Wharton, esquire, president of the state of Pennsylvania, and sundry other papers:

Ordered, That the same be referred to Mr. M'Kean and the delegates from Pennsylvania.

Resolved, That governor Clinton be authorised and requested to superintend the business of obstructing, fortifying and securing the passes of Hudson's river, agreeable to the resolutions of the 5th of November last, and to employ the militia of the state of New-York, and to call upon the states of Massachusetts Bay and Connecticut for such parts of their militia as he may think necessary, and those states can spare, for executing this important business:

That the commanding officer at Peeks-Kill be ordered and directed to furnish governor Clinton with money from the military chest, and to give him every assistance in his power in forwarding and perfecting the business committed to him:

That a warrant issue on the commissioner of the loan-office in the state of New-York, in favour of governor Clinton, for fifty thousand dollars, towards defraying the charge of the business intrusted to him.

Resolved, That the warrant of the 3d of February for two hundred thousand dollars, in favour of the board of war, be paid to Joseph Nourse, paymaster to the said board of war and ordnance, to be applied to the purpose of purchasing provisions for the use of the grand army.

The

The commiſſioners of claims report,

That they have examined the accounts of Mr. Thomas Butler, amounting to ſix thouſand eight hundred and one dollars and 74-90ths, together with eight hundred dollars accounted with colonel Flower, making in the whole ſeven thouſand ſix hundred and one dollars and 74 90ths; that he has received of James Meaſe, eſquire, eight hundred dollars; of John Gibſon, eſquire, ſix thouſand and ſix hundred dollars; and for two vices, twenty-eight dollars and 24-90ths; and after deducting ſundry errors and over charges, there is a balance of eighty-ſeven dollars and 20-90ths due to him:

To colonel Michael Swoope, for his pay from the 22d of September, 1776, to the 7th of February, 1778, a balance of nine hundred and ſeventy-ſix dollars and 10-90ths:

Ordered, That the ſaid balances be paid.

A letter of the 18th from general Mifflin to the board of war, was laid before Congreſs and read:

Ordered, That the ſame, together with the papers relating to the quartermaſter's department, be referred to the board of treaſury.

Adjourned to ten o'clock to-morrow.

THURSDAY, *February* 19, 1778.

A letter of the 18th from the board of war, with one incloſed from Cornelius Sweers, deputy commiſſary general of military ſtores, was read:

Ordered, That the ſame be referred to the board of treaſury.

Reſolved, That general Mifflin be directed to attend immediately the board of war, and that he order the ſeveral deputies and agents under him in the department of the quartermaſter general to proceed vigouroufly in executing the buſineſs of that department, without attending to the ſettlement of their reſpective accounts, until the department is properly arranged, and they can attend to the ſettlement of their accounts without detriment to the public cauſe.

The committee on the treaſury brought in a report; whereupon

Ordered, That the following warrants iſſue in favour of major general Mifflin, quartermaſter general, for the uſe of his department, and for which he is to be accountable, viz.

On

One warrant on the treaſurer for two hundred and fifty thouſand dollars, to be tranſmitted to him by Joſeph Nourſe, eſquire;

One warrant on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, for one hundred and fifty thouſand dollars.

Ordered, That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, eſquire, paymaſter to the board of war and ordnance, for the ſum of fifty thouſand dollars, to be applied by the ſaid board for the uſe of the department of the commiſſary general of military ſtores; the ſaid paymaſter to be accountable:

That a warrant iſſue on the treaſurer in favour of Thomas Hughes, paymaſter to the 7th Virginia regiment, for nine thouſand ſix hundred and thirty dollars, it being in diſcharge of the draught of W. Palfrey, paymaſter general, for that ſum, in favour of the ſaid Hughes, on the preſident, dated at Camp the 12th inſtant; the ſaid paymaſter general to be accountable:

That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, in favour of brigadier David Forman, for ten thouſand dollars, for which he is to be accountable; and that the deputy commiſſary general of purchaſes in the middle diſtrict be furniſhed with a copy of this order and directed forthwith to ſettle the accounts of brigadier Forman for proviſions ſupplied by his order to the troops lately ſtationed at New-Jerſey, charging to him the amount of this grant, and reporting to the board of treaſury the ſtate of his accounts.

The committee on the treaſury farther reported,

That a warrant ſhould iſſue on Joſeph Borden, eſquire, commiſſioner of the continental loan-office in the ſtate of New-Jerſey, in favour of major general Mifflin, for eighty thouſand dollars, for the uſe of the quartermaſter general's department:

On the queſtion put the ſtates were equally divided.

Three o'clock, P. M.

A motion was made to re-conſider the report from the board of treaſury for iſſuing a warrant on Joſeph Borden, eſquire, in favour of general Mifflin, for eighty thouſand dollars, for the uſe of the quartermaſter general's department:

Queſtion

Queſtion put, paſſed in the negative.

A letter of the 12th from brigadier Hand, at Fort Pitt, to the board of war, was laid before Congreſs and read; whereupon

Reſolved, That brigadier Hand tranſmit to the Orkanſas ſo much of the proviſions which were demanded of him by captain James Willing, of the armed boat Rattletrap, as he can ſpare, and judges neceſſary and proper for the purpoſe.

Ordered, That the letter be returned to the board of war, to do therein what they judge proper and neceſſary.

The committee to whom was referred the letter of the 6th from the committee at Camp, relative to the priſoners of the convention, now at Boſton, brought in a report, which was taken into conſideration; whereupon Congreſs came to the following reſolutions;

Whereas Congreſs, for reaſons ſet forth in their reſolutions of the 8th day of January laſt, have determined to detain lieutenant general Burgoyne and the troops included in the convention of Saratoga, until the ſaid convention ſhall be ratified by the court of Great-Britain; and it will not only be inconvenient for the ſaid troops, but alſo very diſtreſſing to the inhabitants of the town of Cambridge and parts adjacent, to have ſo large a body of men confined within ſuch narrow limits, for ſo long a time as muſt neceſſarily elapſe before the ratification of the ſaid convention can be known: therefore

Reſolved, That the council of the ſtate of Maſſachuſetts-Bay be authoriſed and requeſted to remove, ſeparate and place the ſaid troops in ſuch manner and in ſuch parts of the ſaid ſtate as may be moſt convenient for their ſubſiſtance and ſecurity:

That general Heath be directed to carry into effect the orders of the council of the ſtate of Maſſachuſetts-Bay for removing, ſecuring and providing for the ſaid troops.

Reſolved, That it be recommended to the council of Maſſachuſetts-Bay to order the continental barracks for the reception of priſoners in that ſtate to be forthwith finiſhed.

A letter of the 14th from the committee of Congreſs at Camp was read.

Adjourned to ten o'clock to-morrow.

FRIDAY,

FRIDAY, *February* 20, 1778.

The committee of commerce laid before Congreſs ſundry letters and papers reſpecting Mr. De Francy, which were read:

Ordered, That they be referred back to the ſaid committee to report thereon, and that for this ſpecial purpoſe Mr. Gerry and Mr. Laurens be added to the ſaid committee.

Three o'clock, P. M.

Reſolved, That the preſident immediately ſend a letter by expreſs to the committee at Head Quarters, deſiring them to ſend back by the ſame expreſs a nomination of officers proper to fill the quartermaſter's department, agreeably to a requeſt of Congreſs already tranſmitted to them.

Congreſs took into conſideration the letters from the committee at Camp, and their plan for filling up the army, and after debate thereon,

Ordered, That the ſame be referred to a committee of five;

The members choſen Mr. Roberdeau, Mr. Wolcott, Mr. Penn, Mr. Forbes and Mr. Scudder.

Adjourned to ten o'clock to-morrow.

SATURDAY, *February* 21, 1778.

It appearing by intelligence this day received from Camp, that alarming conſequences are likely to enſure from a longer delay of appointing proper perſons to fill the ſeveral offices in the quartermaſter general's department:

Reſolved, That the committee of Congreſs at the Camp, in conjunction with general Waſhington, be authoriſed forthwith to make the proper appointments for the quartermaſter general's department.

A letter of the 21ſt from doctor W. Shippen was read; whereupon

Reſolved, That a ſurgeon general be appointed for the hoſpital in the middle department, in the room of doctor Brown, promoted;

The ballots being taken,

Doctor Charles M'Knight was elected.

Whereas the duty of the perſon who executes the office of ſecretary and paymaſter of the hoſpital in the middle department is important and difficult: *Reſolved*,

Reſolved, That the pay of the perſon who executes thoſe offices in the hoſpital in the middle department be augmented to three dollars a day.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of brigadier Weedon, in diſcharge of a bill drawn by William Palfrey, eſquire, paymaſter general, in his favour, on the preſident of Congreſs, for the ſum of two thouſand five hundred dollars, which is to be charged to the paymaſter general:

That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for the ſum of five hundred thouſand dollars, to be by him tranſmitted to William Palfrey, eſquire, paymaſter general, who is to be accountable:

That a warrant iſſue on the treaſurer for the ſum of forty thouſand dollars, in favour of doctor W. Shippen, director general of the military hoſpitals, for the uſe of the middle diſtrict; the ſaid director general to be accountable:

That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, for the ſum of thirty-five thouſand dollars, in favour of the ſaid director general, for the uſe of the ſaid diſtrict; the director general to be accountable:

That a warrant iſſue on the treaſurer in favour of the delegates of Georgia, for five hundred thouſand dollars, advanced to that ſtate for the ſole purpoſe of calling in the currency of that ſtate which has been emitted for the ſupport of the continental troops; this ſum to include the four hundred thouſand dollars granted for that purpoſe by the reſolution of the 15th of Auguſt laſt.

Reſolved, That the paymaſter general be directed to conſult with general Waſhington on the propriety of keeping a deputy paymaſter at Baltimore, and if he ſhall judge ſuch an officer unneceſſary to inform Mr. Jonathan Hudſon, that the public ſervice not requiring his farther aſſiſtance in that capacity, he is excuſed therefrom by Congreſs, and is ordered to adjuſt his accounts with the paymaſter general as ſoon as may be.

The committee on the treaſury report,

That they have taken into conſideration the application of baron de Holtzendorf; that by the agreement made

made at Paris between Mr. Deane and the baron, it does not appear that the baron is entitled to any ſum for the defraying his expences from and to Europe, or to any compenſation on account of the loſs of his equipage; that the baron, as being one of the officers accompanying major general de Kalb to America, does not appear well founded, it being evident from the reſolves of Congreſs of September the 8th, 1777, that thoſe gentlemen were not employed in the ſervice of the United States, but in conſideration of their zeal for that purpoſe it was judged expedient to pay their expences; neither does it appear on any other principles of juſtice, that he is entitled to the claims aforeſaid:" whereupon

Reſolved, That the ſum of one thouſand dollars, or ſuch part thereof as he may require, be advanced to the baron de Holzendorf, to diſcharge the debts he may have contracted, and to enable him to return to Paris, he giving bills of exchange for the amount of any balance that may be due to the United States, in the ſame manner as brigadier de Roch Fermoy.

Reſolved, That general Waſhington be directed to order a major general to take the command of the troops in the ſtate of Rhode-Iſland, in the place of major general Spencer, reſigned.

A letter from general Waſhington to Robert L. Hooper, Nathaniel Falconer, and Jonathan Mifflin, was laid before Congreſs; alſo an extract of a letter from Mr. Duer to Mr. F. L. Lee:

Ordered, That copies of the ſame be ſent by expreſs to the executive council of Pennſylvania, and that it be moſt earneſtly recommended to them to exert the whole powers of the ſtate in providing and forwarding to the army, by every poſſible means, ſupplies of proviſions, eſpecially of the meat kind, and alſo forage, with the utmoſt diſpatch.

Reſolved, That the board of war immediately employ a ſuitable number of proper perſons on the eaſt ſide of Suſquehannah to purchaſe meat and forage for the army, and to forward the ſame to the Camp with all poſſible expedition, having reſpect to the prices fixed by the laws of the ſtate of Pennſylvania.

The marine committee, to whom was referred the complaint of the navy board in the middle department againſt captain Barry, report as their opinion, "that captain

Barry hath treated the ſaid board, in the perſon of Mr. Hopkinſon, one of that board, with indecency and diſreſpect, and that he ought, within twenty days after this reſolve ſhall have been notified to him by the ſaid board, to make ſuch acknowledgment as ſhall be ſatisfactory to them:"

Reſolved, That Congreſs agree to the ſaid report.

Adjourned to ten o'clock on Monday.

MONDAY, *February* 23, 1778.

A letter of the 16th from lieutenant colonel Matthew Smith, of the 9th Pennſylvania regiment, was read, repreſenting the declining ſtate of his health, and on that account praying for leave to reſign his commiſſion:

Reſolved, That leave be granted.

A letter of the 22d from brigadier Wilkinſon was read.

A letter of the 18th from Joſeph Simons, of Lancaſter, was read:

Ordered, That it be referred to the executive council of Pennſylvania to do thereon what they ſhall judge proper.

A letter of the 9th from Southy Simpſon, of Acamac county in Virginia, was read:

Ordered, That it be referred to the board of war.

A letter from B. Harriſon, junior, deputy paymaſter general in Virginia, with his monthly account incloſed, was read:

Ordered, That the ſame be referred to the board of treaſury.

A letter of the 7th from governor Caſwell was read, with papers incloſed reſpecting captain Folger:

Ordered, That they be referred to the committee appointed to take the examination of captain Folger.

Three o'clock, P. M.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of captain William Brown, in diſcharge of a bill drawn by William Palfrey, eſquire, paymaſter general, on the preſident of Congreſs, dated the 20th inſtant, for two thouſand one hundred and thirty-two dollars and 74-90ths the ſaid paymaſter general to be accountable:

That

That a warrant iſſue on the treaſurer in favour of the commiſſary general, for one hundred thouſand dollars, to be by him tranſmitted to Henry Champion, eſquire, for the purpoſe of purchaſing cattle in Connecticut :

That a warrant iſſue on the treaſurer in favour of doctor Jonathan Potts, deputy director general of the middle department, for one hundred thouſand dollars, for the uſe of his department, and for which he is to be accountable.

A letter of the 13th from Sampſon Matthews was read, informing that governor Henry of Virginia has appointed him and colonel Samuel M'Dowell commiſſioners to proceed to Fort Pitt, in the ſtead of Samuel Waſhington and Gabriel Jones, eſquires, who have declined that buſineſs, and that they intend to ſet forward on their journey the 23d inſtant.

A letter of the 19th from general Waſhington was read.

The committee of commerce laid before Congreſs a letter and a number of papers from R. Morris, which were read :

Ordered, That they be referred to the committee to whom the affairs of monſieur Francey were committed.

Reſolved, That the board of treaſury be impowered to increaſe the pay of the ſigners of bills of credit in ſuch way as they judge proper, provided that the ſum allowed for ſigning and numbering one thouſand bills does not exceed two dollars.

The committee appointed to reviſe the ſyſtem of the commiſſary of purchaſes brought in a report, which was read :

Ordered, That the conſideration thereof be poſtponed till to-morrow.

A letter of the 3d from governor J. Clinton of New-York, at Poughkeepſie, was read :

Ordered, That it be referred to the board of war.

Adjourned to ten o'clock to-morrow.

TUESDAY, *February* 24, 1778.

A petition from James Wilſon, adminiſtrator of Samuel Allen, was read, praying that the commiſſioners of claims may be directed to ſettle his accounts for a team of Samuel Allen employed and loſt in the public ſervice :

Ordered, That the prayer be granted.

Congreſs

Congreſs took into conſideration the report of the commitee on the ſyſtem of the commiſſary of purchaſes, and ſome progreſs being made therein,

Reſolved, That the farther conſideration thereof be poſtponed to Thurſday next.

A letter of the 20th from brigadier Parſons, relative to the treatment of meſſieurs Vantaſſels by the enemy, was read:

Ordered, That it be referred to the committee appointed to enquire into the conduct of the enemy with regard to the priſoners who have fallen into their hands.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *February* 25, 1778.

The delegates of Pennſylvania laid before Congreſs a letter of the 23d from the council of that ſtate, requeſting to be furniſhed with the following papers, viz.

The inſtructions of the board of war to their ſuperintendants of proviſions; the plan laid down by the ſuperintendants for the purchaſe, &c. of proviſions; the inſtructions for the millers, dated the 11th of January laſt; a letter from the ſuperintendants to the board of war, dated the 11th inſtant; a letter dated the 12th inſtant, ſigned Robert Lettis Hooper, deputy quartermaſter general, to the purchaſers under the ſuperintendants:

Ordered, That the board of war furniſh the delegates of Pennſylvania with copies of the above papers, or ſuch of them as are in the office of the board of war and ordnance.

A letter of the 24th of January from Samuel A. Otis, at Boſton, was read.

The committee to whom were referred the letter of the 8th from general Waſhington, and ſundry other letters which paſſed between him and general Howe, relative to the exchange of priſoners and other matters, brought in a report, which was read.

The committee to whom were referred the letters and papers from the committee of Congreſs at Camp, brought in a report, which was taken into conſideration, and after ſome time ſpent thereon,

Ordered, That the farther conſideration thereof be poſtponed to the afternoon.

The committee on the treaſury brought in a report; whereupon

Ordered,

Ordered, That a warrant iſſue on the treaſurer in favour of captain Paſky, for twenty-ſix thouſand dollars, in diſcharge of a draught of William Palfrey, eſquire, paymaſter general, for that ſum, on the preſident of Congreſs, dated at Camp, the 23d of February inſtant, in favour of colonel E. Lutterlogh, deputy quartermaſter general, indorſed by him to the ſaid captain Paſky; the paymaſter general to be accountable.

The commiſſioners of claims at the treaſury report,

That there is due to the adminiſtrators of Samuel Allen, deceaſed, for hire of his waggon and team, from the 4th of September to the 4th of December, 1776, ninety-two days, at two dollars and two thirds, two hundred and forty-five dollars and 30-90ths, and for the four horſes, waggon, geers and cloth, which by certificate appear to have been detained in the ſervice after his deceaſe, and never returned to his heirs, &c. appraiſed at four hundred and eight dollars, which laſt ſum is to be charged to the account of the quartermaſter general; alſo for expences incurred on York Iſland, as by account and certificate, ſeven dollars and 62-90ths; amounting in the whole to ſix hundred and ſixty-one dollars and 2-90ths.

To John Campbell, the ſum of one thouſand two hundred and forty-three dollars and 30 90ths, for colonel George Morgan's draught on the preſident of Congreſs, in favour of colonel William Crawford, being for proviſions ſtored at Fort-Pitt, which order or draught is aſſigned over to the ſaid Campbell; the ſaid colonel G. Morgan to be accountable:

To Simon and Campbell, the ſum of three hundred and two dollars, for arms ſold to colonel William Crawford, for the uſe of the 13th Virginia regiment, as per colonel Crawford's order on the board of treaſury; the ſaid colonel Crawford to be accountable:

Ordered, That the ſaid accounts be paid.

Three o'clock, P. M.

A letter of the 7th and one of the 14th from major general Heath, at Boſton, were read, the former incloſing copies of ſundry letters that paſſed between him and lieutenant general Burgoyne, and a letter from lord Napier and lieutenant colonel Anſtruther:

Ordered, That they be referred to a committee of three;

The

The members chosen Mr. Wolcott, Mr. Lovell and Mr. Gerry.

Congress resumed the consideration of the report on the letters from the committee at Camp, and after debate,

Ordered, That the farther consideration of the report be postponed till to-morrow.

Adjourned to ten o'clock to-morrow.

THURSDAY, *February* 26, 1778.

Resolved, That it be an instruction to the captains and commanders of privateers to annoy the enemy by all the means in their power by land or water, taking care not to infringe or violate the laws of nations or the laws of neutrality.

A letter of the 11th from lieutenant general Burgoyne, directed "*To the honourable Henry Laurens, president of the "Congress,*" with three papers inclosed, was read:

Ordered, That they be referred to a committee of five;

The members chosen Mr. Lovell, Mr. M'Kean, Mr. Smith, Mr. Lee and Mr. Gerry.

Major general Gates sent to Congress sundry letters, and among them one of the 9th from major general Philips, which were read:

Ordered, That the last be referred to the foregoing committee.

Sundry letters to the board of war from the northern department being laid before Congress and read,

Ordered, That they be referred to a committee of three;

The members chosen Mr. Wolcott, Mr. Clark and Mr. Lewis.

A letter of the 25th from the board of war was read:

Ordered, That it be referred to the board of treasury.

Congress took into consideration the report of the committee on the letter of the 8th from general Washington, and the letters which passed between him and general Howe, relative to the exchange of prisoners, and thereupon came to the following resolutions:

Whereas it appears to Congress, by the copy of a letter from general Washington to general Howe, of the 10th of this month, that he has consented to the propositions of general Howe to the following effect; "that an exchange of all prisoners now in our possession, officer for officer, soldier for soldier, and citizen for citizen, so far as number and rank will apply, be carried into execution

as

as expeditiouſly as the nature of the caſe will admit, and without regard to any controverted point, which might prove an impediment to ſo deſirable an end :"

And whereas, by a reſolution of Congreſs of the 19th of December laſt, a releaſe of priſoners in the power of theſe ſtates cannot take place before the account of all proviſions and other neceſſaries, which have been ſupplied by the public to ſuch priſoners, are liquidated and diſcharged :

And whereas it is the wiſh of Congreſs to accompliſh the deſirable purpoſe of exchanging the priſoners without unneceſſary delay :

Reſolved, That an expreſs be ſent to the ſeveral legiſlatures or ſupreme executive authorities of the reſpective ſtates, for ſuch accounts of money, proviſions and other neceſſaries, which they have ſupplied to priſoners taken by the United States ſince the commencement of the war, as have not been already tranſmitted to Congreſs; that they be requeſted to make up the ſaid accounts to the firſt day of March next, and tranſmit them as ſpeedily as poſſible to the commiſſioners of claims at the board of treaſury: that the accounts of each ſtate, from New-Hampſhire to Virginia, incluſive, be ſent to the ſaid commiſſioners on or before the 15th day of April next, and of the other ſtates on or before the 1ſt day of June next, and that the reſpective ſtates ſuſtain the loſſes which may ariſe from detaining ſuch accounts longer than the time herein allowed them for rendering the ſame.

Reſolved, That all officers in the departments of the quartermaſter, paymaſter, and cloathier general, and commiſſaries of proviſions and priſoners, the commiſſioners of accounts and other officers, who may have accounts or charges of money, proviſions or other neceſſaries in their reſpective offices, for ſupplies furniſhed the ſaid priſoners, be directed to ſend ſuch accounts to the commiſſioners of claims at the board of treaſury, on or before the 15th day of April next, and that they reſpectively ſuſtain the loſſes that may ariſe from a neglect hereof :

That the commiſſioners of claims be directed to prepare the ſaid accounts for adjuſtment without delay, and that no exchange of priſoners be made until the balance due thereon to the United States is diſcharged.

Three o'clock, P. M.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the committee of commerce, for twenty thouſand dollars, advanced, upon their application, for the purpoſe of loading with rice the ſhip Flammand, ordered to South-Carolina; the ſaid committee to be accountable.

A petition from Archibald Steel, deputy quartermaſter general for the troops at Fort Pitt, was read:

Ordered, That it be referred to the committee of commerce.

Congreſs reſumed the conſideration of the report of the committee on the letters and papers from the committee of Congreſs at Camp, and thereupon came to the following reſolutions;

Whereas the well being and ſafety of theſe ſtates require that a powerful army be early brought into the field, effectually to oppoſe and defeat the public enemies thereof: and whereas by the actual invaſion of ſome of the ſaid ſtates, and the local circumſtances of others, it would be inexpedient and unreaſonable to draw forth from all of them their full proportion of the continental battalions, according to the eſtabliſhment heretofore ſettled and apportioned in Congreſs:

Reſolved, That the ſeveral ſtates hereafter named be required forthwith to fill up by draughts from their militia, or in any other way that ſhall be effectual, their reſpective battalions of continental troops, according to the following arrangement, viz.

New-Hampſhire,	-	3
Maſſachuſetts-Bay,	-	15
Rhode-Iſland, &c.	-	1
Connecticut,	- -	8
New-York,	-	5
New-Jerſey,	- -	4
Pennſylvania,	-	10
Delaware,	- -	1
Maryland,	- -	8 including the German battalion,
Virginia,	- -	15
North-Carolina,	-	9

That

That all perſons draughted ſhall ſerve in the continental battalions of their reſpective ſtates for the ſpace of nine months from the time they ſhall reſpectively appear at the ſeveral places of rendezvous hereafter mentioned, unleſs ſooner diſcharged:

That it be recommended to the ſeveral ſtates to appoint officers to ſuperintend the making and forwarding the ſaid draughts and to direct ſuch ſuperintendants to procure compleat liſts of the men draughted, with a deſcription of their perſons, their age, ſtature, the places of their abode, and the regiment and company from which they ſhall have been draughted, and to forward the ſame to the commiſſioners hereafter mentioned, who ſhall tranſmit an exact copy thereof to the commander in chief.

And to the end the commiſſioners may be enabled the better to execute their buſineſs, and the men draughted as aforeſaid may be ſent to the ſaid places of rendezvous with the greater ſafety and expedition,

Reſolved, That it be recommended to the ſeveral ſtates to require their ſeveral militia officers, by whom any men ſhall have been draughted, to deliver to the ſaid ſuperintendants ſuch deſcriptive liſts of the men by them reſpectively draughted for the purpoſe aforeſaid; and further, to direct the ſaid ſuperintendants to make ſimilar liſts of the men by them from time to time ſent to the places of rendezvous, and take receipts for ſuch men upon the ſaid liſts from ſuch officers as they ſhall appoint to conduct them as aforeſaid, and forward copies of ſuch liſts and receipts to the ſaid commiſſioners:

That it be recommended to each of the ſaid ſtates to appoint one or more commiſſioners, to reſide at the ſaid places of rendezvous, for the purpoſe of receiving the draughts of their reſpective ſtates, and delivering them over to the continental officers, who may be appointed by the commander in chief, there to receive them; and further, to direct their reſpective commiſſioners to give receipts for ſuch draughted men as ſhall be delivered to them, and make out ſuch deſcriptive liſts as aforeſaid of the men by them from time to time delivered over to ſuch continental officers, and take receipts thereon from them, and tranſmit copies of ſuch liſts and receipts to the commander in chief:

That it be recommended to the ſeveral ſtates to make proviſion for their draughted men upon their march to the ſaid places of rendezvous, and that the ſtates be allowed for ſuch ſubſiſtance one twenty-fourth part of a dollar per mile for each man actually marching to the ſaid places of rendezvous, and no more.

Reſolved, That all the draughts from the New-England ſtates ſhall rendezvous at Fiſh-Kill on Hudſon's River; thoſe of New-York at Eaſt-Town in the ſtate of Pennſylvania; thoſe of New-Jerſey, Pennſylvania, Delaware and Maryland, at Camp; thoſe of Virginia at Alexandria and Sheppard's-Town in the ſame ſtate; and thoſe of North-Carolina at Pittſylvania Court-Houſe and Peterſburg in Virginia; unleſs otherwiſe directed by the commander in chief.

Reſolved, That every perſon draughted as aforeſaid, who ſhall ſupply himſelf with a good firelock and bayonet, a cartouch box, haverſack or blanket, and ſhall, at the expiration of the term of his ſervice produce, to the proper paymaſter a certificate from his captain or other commanding officer of his company, that he hath been conſtantly provided therewith, ſhall receive for the uſe of his firelock, bayonet and cartouch box two dollars, and for the uſe of his blanket four dollars, and in a like proportion for any or either of them. And in caſe any of the ſaid articles ſhall be loſt or rendered uſeleſs in the ſervice, without the negligence or fault of the proprietor, he ſhall be paid the value thereof.

Reſolved, That all perſons, in whatever way procured, for ſupplying the deficiencies in the continental battalions, unleſs inliſted for three years or during the war, be conſidered as draughts; and that it be recommended to the ſeveral ſtates to exert themſelves to procure recruits for their reſpective continental battalions by inliſtments for three years or during the war, and that the draughts from the reſpective ſtates be diſcharged in proportion as ſuch recruits from the ſaid ſtates ſhall join the army.

And whereas experience hath proved that no confidence can be placed in priſoners of war or deſerters from the enemy, who inliſt into the continental army; but many loſſes and great miſchiefs have frequently happened by them; therefore

Reſolved, That no priſoners of war or deſerters from the enemy be inliſted, draughted or returned to ſerve in the continental army.

Ordered,

Ordered, That the board inſtruct and direct the commiſſary general of priſoners to appoint proper perſons to examine all officers and any of the privates of the United States, that ſhall be hereafter exchanged, and take ſuch of their depoſitions as may be neceſſary to aſcertain the treatment our priſoners in the hands of the enemy have received during their captivity, and report the ſame to Congreſs.

A letter of the 8th from general Schuyler at Albany, and one of the 20th from the committee of Congreſs at Camp, were read:

Ordered, That they be referred to the board of war.

Adjourned to ten o'clock to-morrow.

FRIDAY, *February* 27, 1778.

A letter of the 10th from major general Putnam, at Weſt-Point on Hudſon's river, was read:

Ordered, That it be referred to the board of war.

Congreſs took into conſideration a report from the board of war, and thereupon came to the following reſolutions;

Whereas a few deluded inhabitants of theſe ſtates, prompted thereto by arts of the enemy, have aſſociated together for the purpoſe of ſeizing and ſecretly conveying to places in poſſeſſion of the Britiſh forces, ſuch of the loyal citizens, officers and ſoldiers of theſe ſtates, as may fall into their power; and being aſſiſted by parties furniſhed by the enemy have in ſeveral inſtances carried their nefarious deſigns into execution; and ſuch practices being contrary to their allegiance as ſubjects, and repugnant to the rules of war,

Reſolved, That whatever inhabitant of theſe ſtates ſhall kill or ſeize, or take any loyal citizen or citizens thereof, and convey him, her or them to any place within the power of the enemy, or ſhall enter into any combination for ſuch purpoſe, or attempt to carry the ſame into execution, or hath aſſiſted or ſhall aſſiſt therein; or ſhall by giving intelligence, acting as a guide, or in any other manner whatever, aid the enemy in the perpetration thereof, he ſhall ſuffer death by the judgment of a court-martial, as a traitor, aſſaſſin and ſpy, if the offence be committed within ſeventy miles of the Head-Quarters of the grand or other armies of theſe ſtates, where a general officer commands.

In

In paſſing the above reſolution the yeas and nays were required, and are as follows,

New-Hampſhire,	Mr. Froſt,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	*no*
	Mr. Wolcott,	*no*	
	Mr. Huntington,	*no*	
New-York,	Mr. Lewis,	*ay*	*
New-Jerſey,	Mr. Clark,	*no*	*divided*
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. J. B. Smith,	*no*	
	Mr. James Smith,	*ay*	
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Forbes,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*ay*	*ay*
Georgia,	Mr. Langworthy,	*ay*	*ay*
	Mr. Wood,	*ay*	

And whereas ſmall parties of the enemy, encouraged by the evil diſpoſitions of ſome of the inhabitants of theſe ſtates, may make excurſions into the country, for the purpoſes above mentioned, or others not warranted by the cuſtom of war:

Ordered, That general Waſhington determine, and publiſh in ſuch way as he ſhall deem proper, the number under which no party of the enemy ſhall be ſuffered to go beyond their lines, on pain, if taken, of being treated as marauders and puniſhed with death.

Reſolved, That a company of bakers be raiſed, to bake bread for the army; the company to conſiſt of

One director,	at 50 dollars a month and	3 rations a day,
Three ſubdirectors,	at 40 do. -	2 do.
Twelve foremen,	at 30 do. - -	1 do.
Sixty bakers,	at 24 do. -	1 do.

That the company be inliſted for one year from the day of their inliſtment, and be ſubject to the rules and articles of war:

That

That each foreman and baker have the ſame cloathing as is allowed to non-commiſſioned officers in the continental ſervice:

That the board of war be directed to appoint the director and ſub-directors, and cauſe the company to be raiſed and ſet to work with the utmoſt diſpatch.

A letter of the 4th from governor Livingſton, of New-Jerſey, at Lebanon Valley, was read:

Ordered, That it be referred to the board of treaſury.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Archibald Steel, deputy quartermaſter general, for thirty thouſand dollars, advanced him upon the application of the board of war, for the uſe of the quartermaſter general's department in the weſtern diſtrict; major general Mifflin, quartermaſter general, to be accountable.

A letter of the 26th from the board of war was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Harvie, Mr. Gerry and Mr. Clark.

Reſolved, That a committee of three be appointed to prepare a recommendation to the United States to ſet apart a day of faſting, humiliation and prayer;

The members choſen Mr. Roberdeau, Mr. Huntington and Mr. Scudder.

Three o'clock, P. M.

Congreſs reſumed the conſideration of the report of the committee on the ſyſtem of the commiſſary of purchaſes, and ſome progreſs being made therein,

Ordered, That the farther conſideration thereof be poſtponed till to-morrow.

Adjourned to ten o'clock to-morrow.

SATURDAY, *February* 28, 1778.

A letter of the 27th from R. R. Wilford, aid de camp to general Burgoyne, was read:

Ordered, That it be referred to the committee on the letter from lieutenant general Burgoyne.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the marine committee, for five thouſand dollars,

to be tranſmitted to Nathaniel Shaw, eſquire, continental agent in Connecticut:

That a warrant iſſue on John Lawrence, eſquire, commiſſioner of the continental loan-office in the ſtate of Connecticut, in favour of the marine committee, for thirty-five thouſand dollars, to be tranſmitted to the ſaid Nathaniel Shaw, eſquire; for which two ſums the ſaid marine committee are to be accountable.

A report from the board of war was read, and after debate,

Ordered, That it be referred to a committee of four;

The members choſen Mr. Harvie, Mr. Ellery, Mr. M'Kean and Mr. Clark.

Ordered, That the warrant on the commiſſioner of the loan-office in the ſtate of New-Jerſey, dated the 24th of January laſt, in favour of his excellency governor Livingſton, for ten thouſand dollars, be paid in preference to any other warrant previouſly iſſued on the ſaid commiſſioner, and that the money be applied to the purpoſe of paying the premiums for apprehending deſerters, as well as of recruiting the continental battalions raiſed by the ſaid ſtate:

Ordered, That a warrant iſſue on the treaſurer in favour of the delegates of New-Jerſey, for five thouſand dollars, to be by them tranſmitted to governor Livingſton, for the purpoſes mentioned in the preceding order; he to be accountable.

A petition and remonſtrance from the juſtices and field officers of the county of Northampton in Virginia, in behalf of themſelves and the inhabitants of the ſaid county, was read:

Ordered, That it be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of William Buchanan, eſquire, commiſſary general of purchaſes, for twelve thouſand dollars, for the uſe of the middle diſtrict of his department; he to be accountable:

That a warrant iſſue on the treaſurer in favour of the delegates of the ſtate of North-Carolina, for three thouſand five hundred dollars, advanced upon the application of Mr. John Penn; the ſaid ſtate to be accountable.

Adjourned to ten o'clock on Monday.

MONDAY,

MONDAY, *March* 2, 1778.

A letter of February 28th from Richard R. Wilford, aid de camp to lieutenant general Burgoyne, was read, incloſing a liſt of officers who were exchanged by general Gates at Albany, and for whom general Burgoyne requires paſſports:

Ordered, That the letter and liſt be referred to the board of war.

A letter of the 1ſt from the ſaid R. R. Wilford, incloſing one from lieutenant general Burgoyne, was read, in which he obſerves that "although he informed the preſident that the contents of the incloſed letter was dependent upon the reſolutions Congreſs might come to with regard to the firſt letter delivered, yet as this only concerns lieutenant general Burgoyne and his family, he conceives it may not be improper to lay it before Congreſs now, as the Congreſs will conſider them either together or ſeparately, as they ſee juſt, and it will alſo ſerve to prevent any delays that may ariſe by his keeping this back, until their determination with reſpect to the other is known:"

The letter incloſed from lieutenant general Burgoyne, dated Cambridge, February 11th, 1778, was read:

Ordered, That it be referred to the committee on the former letter from general Burgoyne.

A letter of February 25th from the committee at Camp was read, propoſing a new arrangement of the quartermaſter general's department, and recommending perſons to execute the buſineſs of the ſaid department:

Congreſs taking into conſideration the arrangement propoſed by the committee,

Reſolved, That the ſame be adopted, inſtead of that agreed to on the 5th day of February, and that there be one quartermaſter general, and two aſſiſtant quartermaſters general:

That theſe three be allowed for their trouble and expence one per cent. upon the monies iſſued in the department, to be divided as they ſhall agree, and including an addition to the pay of the waggonmaſter general and his deputy:

That major general Greene be appointed quartermaſter general:

That John Cox and Charles Pettit, eſquires, be appointed aſſiſtant quartermaſters general:

That

That the forage maſters, waggonmaſters, and other officers in the department, be in the appointment of the quartermaſter general, who is to be reſponſible for their conduct.

Reſolved, That major general Greene retain his rank of major general in the army.

Reſolved, That major general Mifflin, late quartermaſter general, be directed to make out immediately and tranſmit to Congreſs and to major general Greene, quartermaſter general, a ſtate of the preparations for the next campaign in the quartermaſter general's department, ſpecifying what articles are in readineſs, where depoſited, where engaged and in what quantities; and that he deliver or cauſe the ſame to be delivered to major general Greene, quartermaſter general, or his order.

Whereas doctor Parke and one Morton, both of the city of Philadelphia, the former ſon-in-law and the latter ſtep-ſon of James Pemberton, have preſumed to undertake a journey from Philadelphia to Winchester, without calling at Head-Quarters or obtaining permiſſion from any lawful authority:

Reſolved, That the board of war be directed to cauſe the ſaid Parke and Morton to be apprehended and confined in priſon till farther orders.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of William Mountjoy, paymaſter to the 3d Virginia regiment, for ſix thouſand five hundred dollars, in diſcharge of the order of William Palfrey, eſquire, paymaſter general, on the preſident, in favour of the ſaid Mountjoy, for that ſum, dated Camp, the 23d of February, 1778; the ſaid paymaſter to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to colonel Kermovan, for one thouſand three hundred and eight rations, the ſum of one hundred and two dollars and 54 90ths:

Ordered, That the ſaid account be paid.

Reſolved, That major general Gates be requeſted to lodge among the papers of Congreſs, in the ſecretary's office, the original letter of general Burgoyne to him, dated "*Publick-houſe at Cambridge, November* 14, 1777."

The

The board of war, to whom the petition and remonſtrance from the juſtices and field officers of the county of Northampton in Virginia, in behalf of themſelves and the inhabitants of the ſaid county, was referred, report,

"That the circumſtances attending the counties of Accamac and Northampton in the ſtate of Virginia are ſuch as render them peculiarly ſubject to the depredations of the enemy, and that there being alſo therein a large quantity of continental property imported from foreign parts, and no guards regularly eſtabliſhed for the protection thereof until removal, it is expedient that the men raiſed by draught or otherwiſe in the ſaid counties, as part of the Virginia quota of troops, be ordered to remain in the ſaid counties, ſubject to the order of governor Henry and the council of Virginia, who are requeſted to embody them under proper officers, who will attend to their government and diſcipline, and employ them in protecting the property of the United States, or in other military ſervices until the farther order of Congreſs or the board of war; and that the memorial of ſundry inhabitants of the ſaid counties, on the ſubject of theſe draughts, be ſent to governor Henry, to be laid before the aſſembly of that ſtate for their conſideration, and that they be requeſted to take meaſures for the ſafe guard and protection of the ſaid counties in caſe the ſaid draughts ſhall be ordered to join the army:"

Reſolved, That Congreſs agree to the ſaid report.

The committee to whom were referred the letters from general Heath, brought in a report, which was read; whereupon

Reſolved, That the preſident write to general Heath, and inform him that it was by no means the intention of Congreſs that general Burgoyne ſhould be prevented from communicating to Lord Howe or the commanding officer of the Britiſh ſhips in the harbour of Newport, the intelligence of the act of Congreſs detaining the troops of the convention of Saratoga, until it ſhall be ratified by the court of Great-Britain:

That general Heath be directed to permit lieutenant colonel Anſtruther, of the 62d Britiſh regiment, to go on his parole to Rhode-Iſland, in order to negotiate an exchange for himſelf; provided that if colonel Ethan Allen ſhall not have been exchanged for lieutenant colonel Campbell, no exchange but colonel Ethan Allen ſhall be accepted for colonel Anſtruther. Whereas

Whereas it is eſſential to the operations of the army during the next campaign, that the moſt vigorous meaſures ſhould forthwith be adopted for the forming a body of horſe, upon ſuch principles as are moſt likely to advance the public intereſt and the honor of the officers and men who compoſe the ſame; and whereas in times of public danger, when the lives, liberties and property of a free people are theatened by a foreign and barbarous enemy, it is the duty of thoſe, who enjoy in a peculiar degree the gifts of fortune and of a cultivated underſtanding, to ſtand forth in a diſintereſted manner in defence of their country, and by a laudable example to rouſe and animate their countrymen to deeds worthy of their brave anceſtors and of the ſacred cauſe of freedom:

Reſolved, That it be earneſtly recommended to the young gentlemen of property and ſpirit in the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland, Connecticut, New-York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia and North-Carolina, forthwith to conſtitute within their reſpective ſtates a troop or troops of light cavalry, to ſerve at their own expence (except in the article of proviſions for themſelves and forage for their horſes,) until the 31ſt day of December next:

That each troop ſo to be raiſed conſiſt of not leſs than twenty nor more than ſixty rank and file; that they have a right to chuſe their own officers, who ſhall receive continental commiſſions; and that they rendezvous at the main army on the firſt day of May next, or at an earlier period, if poſſible:

That, in order to excite a proper ſpirit of emulation in theſe troops, and to give them an opportunity of appropriating that fame, which their reſpective merits may entitle them to, during the campaign, each troop ſhall bear the name of the ſtate in which it is raiſed:

That theſe troops when raiſed ſhall not ſerve as expreſſes, except in time of action, nor as eſcorts to the perſons of any general except that of the commander of the army with whom they ſerve, unleſs with their own choice:

That every horſe which ſhall be killed, and every horſe and all arms and accoutrements, which ſhall be taken by the enemy in action, ſhall be paid for by the United States; the value to be aſcertained under the direction of the commander in chief; and all booty taken

from

from the enemy ſhall belong to the troop by whom it ſhall be taken.

Reſolved, That it be recommended to the governments of the reſpective ſtates to countenance and encourage this deſign; and that the board of war tranſmit to them forthwith copies of the foregoing reſolutions, together with a deſcriptive liſt of the accoutrements neceſſary for man and horſe.

The committee to whom the letter from lieutenant general Burgoyne to the preſident of Congreſs, dated the 11th of February, with the papers incloſed, was referred, report,

"That they have carefully peruſed and duly conſidered the letter and papers, and are of opinion that nothing therein contained is ſufficient to induce Congreſs to recede from their reſolves of the 8th day of January laſt reſpecting the convention of Saratoga:"

Reſolved, That Congreſs agree to the ſaid report.

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. Joſeph Nourſe, paymaſter to the board of war and ordnance, for five hundred thouſand dollars, to be by him tranſmitted to Jonathan Trumbull, junior, deputy paymaſter general, for the uſe of his department; he to be accountable.

Ordered, That the letters and papers reſpecting the northern department be referred back to the board of war, who are directed to order ſuch diſpoſitions of the troops there as they judge moſt effectual to ſecure the important paſſes on Hudſon's river and the poſts and countries to the northward.

Adjourned to ten o'clock to-morrow.

TUESDAY, *March* 3, 1778.

Reſolved, That a member from Connecticut be added to the marine committee;

The member choſen Mr. Huntington.

A letter from doctor R. Harris to William Buchanan, eſquire, reſpecting ſalt, was laid before Congreſs and read:

Ordered, That it be referred to the board of war:

The committee to whom was referred the letter of the 11th of February from lieutenant general Burgoyne, marked number 2, with a paper incloſed, brought in a report; whereupon

Reſolved,

Reſolved, That lieutenant general Burgoyne, on account of his ill ſtate of health, have leave to embark for England by Rhode-Iſland, or any more expeditious route, with the officers of his family and his ſervants; that general Heath furniſh the neceſſary paſſports, accepting a parole from lieutenant general Burgoyne, lieutenant colonel Kingſton, and doctor Wood, "that ſhould the em-
"barkation of the troops of the convention of Saratoga
"be by any means prolonged beyond the time appre-
"hended, thoſe officers will return to America, upon
"demand and due notice given, and will re-deliver
"themſelves into the power of Congreſs, unleſs regular-
"ly exchanged."

Reſolved, That captain Willoe, of the 8th regiment, be furniſhed with a paſſport to return to Canada, by way of Halifax in Nova Scotia, under the reſtriction of the parole given by the Canadian troops in the convention of Saratoga, till he ſhall be regularly exchanged.

Reſolved, That it is not expedient to grant the paſſports requeſted by general Burgoyne for captain Vigors of the 29th regiment, lieutenant Wheat of the 20th, or lieutenant Bibby of the 24th.

The committee alſo report upon the letter from lieutenant Wilford, aid de camp to general Burgoyne, which was referred to them, "That lieutenant Wilford be permitted to deliver to the board of war duplicates of the papers by him preſented to Congreſs, and that the board be directed to forward them to general Waſhington, to be tranſmitted by a flag to general Howe without delay, but that lieutenant Wilford be not permitted perſonally to convey the duplicates either to general Waſhington or general Howe:"

Reſolved, That Congreſs agree to the ſaid report.

Mr. Harvie laid before Congreſs an extract of a letter from one of the committee at Camp, relative to the purchaſe of proviſions for the army:

Ordered, That it be referred to a committee of five;

The members choſen Mr. Dyer, Mr. J. B. Smith, Mr. M'Kean, Mr. Clark and Mr. Harvie.

Reſolved, That general Heath be directed to acquaint lord Napier, and any other officer who may apply for liberty to go within the enemy's poſts, to negociate a perſonal exchange, that Congreſs do not think it expedient

to

to continue to grant paſſports for that purpoſe, as ſuch exchange may be effected in the cuſtomary way.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *March* 4, 1778.

The commiſſioners of claims report,

That there is due to Moſes Young, for his ſervices as clerk in the ſecretary's office, from the 21ſt of July, 1777, to the 28th of Auguſt following, the ſum of fifty two dollars:

Ordered, That the ſaid account be paid.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, eſquire, paymaſter to the board of war and ordnance, for one hundred thouſand dollars, to be by him tranſmitted to Hugh Hughes, deputy quartermaſter general at Peeks-Kill, for the uſe of the quartermaſter general's deparment; major general Mifflin, late quartermaſter general, to be accountable:

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. J. Harvie, for ſeventy dollars and 17 90ths, being the amount of his expences as one of the committee from Congreſs to Head-Quarters; and that another warrant iſſue in his favour for eighteen hundred dollars, advanced upon his application; for which laſt ſum the ſtate of Virginia is to be accountable.

A letter of February the 10th from Jeremiah Wadſworth to general Mifflin, and one of the 21ſt of February from H. Hughes to A. Butler, were laid before Congreſs and read:

Ordered, That they be referred to the board of treaſury.

The board of war, to whom was referred the letter of the 20th of February from the committee at Camp, having made report, the ſame was taken into conſideration; whereupon

Reſolved, That general Waſhington be impowered, if he think it prudent and proper, to employ in the ſervice of the United States a body of Indians not exceeding four hundred; and that it be left to him to purſue ſuch meaſures as he judges beſt for procuring them, and to employ them when procured, in ſuch way as will annoy the enemy without ſuffering them to injure thoſe who are friends to the cauſe of America.

The

The board of war having alſo reported on the letters and papers relative to the defence of the poſts on Hudſon's river, and the obſtructions and works to be made and erected under the direction of governor Clinton; it was thereupon

Reſolved, That the regulation of the wages of artificers not inliſted into the continental ſervice, be left to governor Clinton's diſcretion:

That the eight iron field cannon mounted, and the twenty three not mounted, with the ſixty-ſix pieces of different calibres, brought and bringing from Ticonderoga, be ſubject to the orders of governor Clinton for the defence of the paſſes on Hudſon's river:

That the governor be aſſiſted by the artificers in Albany and elſewhere on that river, in ſtocking the guns, and that he have authority to purchaſe all other neceſſary cannon for the defence of the paſſes on the ſaid river, wherever the ſame can be procured.

Ordered, That the cloathier general ſend an aſſiſtant cloathier to be ſtationed with the continental army on Hudſon's river, to ſuperintend the procuring and diſtribution of cloathing, and in the mean time that the commanding officer take ſuch order as to the cloathing the troops and artificers as exigencies require:

That the iſſuing commiſſary of the army ſtationed on or in the vicinity of Hudſon's river, for the defence thereof, have authority, with the concurrence of the commanding officer, to draw for ſupplies of proviſions on the purchaſing commiſſaries in the eaſtern or northern diſtricts, as exigencies and the poſition of the troops may from time to time require, taking ſpecial care not to interfere with any ſupplies coming forward to or intended for the grand army.

Reſolved, That the other parts of the report be referred back to the board of war, that they may give ſuch orders thereon as they judge neceſſary and proper reſpecting the plans of the forts and batteries, and other matters incidental thereto; and alſo give ſuch directions to colonel Radiere as the good of the ſervice requires, agreeable to the rules eſtabliſhed in the army.

A letter from A. Butler to the board of war, was laid before Congreſs and read.

Adjourned to ten o'clock to-morrow.

THURSDAY,

THURSDAY, *March* 5, 1778.

Reſolved, That the continental agents in North-Carolina and South Carolina be reſpectively directed, on the application of colonel Kermovan, to allow him a free paſſage to France in any continental veſſel that may offer from either of the poſts.

A letter of the 4th from the board of war, with one of the 27th of February from governor Johnſon, of Maryland, was read:

Ordered, That they be referred to a committee of three;

The members choſen Mr. Forbes, Mr. Harvie and Mr. Gerry.

The committee on the treaſury, to whom was referred a letter of the 25th of February from the board of war and ordnance, relative to the allowance to clerks for the ſaid office, report "that conſidering the unavoidable expences of the officers attending Congreſs, and that capable and confidential perſons ſhould be obtained for the purpoſe, they are of opinion that ſeventy-five dollars a month be allowed to the clerks in the ſecretary's office; the ſame to the firſt clerks in the offices of the board of treaſury, of war and ordnance, and of the marine board; and that ſixty-five dollars a month be allowed to ſecond clerks in the ſaid offices:

That Belcher P. Smith and John Thaxter, clerks in the ſecretary's office, receive the pay of ſeventy-five dollars from the 6th of February laſt:"

Reſolved, That Congreſs agree to the ſaid report.

The committee on the treaſury brought in a report; whereupon

Reſolved, That two millions of dollars be emitted under the direction of the board of treaſury, and on the faith of the United States:

That the bills ſhall, excepting the numbers, be of the ſame tenor and date as the emiſſion directed on the 16th of February laſt, be numbered from the laſt number of each reſpective denomination of that emiſſion progreſſively, and conſiſt of the following denominations, viz.

30768	of	3	dollars each, - -	92034
30768	of	4	do. - -	123072
30768	of	5	do. - - -	153840
30768	of	6	do. - -	184608
30768	of	7	do. - -	215376

30770 of	8	do.	246160
30770 of	2	do.	61540
30770 of	30	do.	923100
			2,000,000

That all powers and duties of Michael Hillegas, eſquire, and of the inſpectors of the preſs, ſigners and printers of the emiſſion directed on the 10th of May laſt, ſhall extend to the ſaid two millions now to be emitted, ſubject however to ſuch directions and inſtructions as the board of treaſury may judge expedient.

Ordered, That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for fifty thouſand dollars, to be by him tranſmitted to Hugh Hughes, deputy quartermaſter general at Fiſh-Kill, for the uſe of the quartermaſter general's department; major general Mifflin, late quartermaſter general, to be accountable:

That a warrant iſſue on the treaſurer in favour of William Palfrey, eſquire, paymaſter general, for one hundred and forty-nine thouſand five hundred and one dollars and 30 90ths, for the uſe of his department; he to be accountable:

That a warrant iſſue on the treaſurer in favour of the delegates of South-Carolina, for twenty thouſand two hundred and forty-ſix dollars, advanced upon the application of the honorable Henry Laurens, to diſcharge two bills drawn by his excellency John Rutledge, preſident of South-Carolina; the ſaid ſtate to be accountable:

That a warrant iſſue on John Lawrence, eſquire, commiſſioner of the continental loan-office in the ſtate of Connecticut, for ſeventy-five thouſand dollars, in favour of Jeremiah Wadſworth, deputy quartermaſter general, for the uſe of the quartermaſter general's department; major general Mifflin, late quartermaſter general, to be accountable:

That a warrant iſſue on the treaſurer in favour of the delegates of the ſtate of Maryland, for ten thouſand dollars, to be tranſmitted to his excellency the governor and executive council of the ſaid ſtate, for the purpoſe of paying the bounty of troops to be raiſed in that ſtate for continental ſervice, and for paying the premiums for taking up deſerters from the army; the ſaid governor and council to be accountable.

The

The committee to whom were referred ſundry letters received by the committee of commerce, brought in a report, which was read:

Ordered, That the conſideration thereof be poſtponed till Monday next.

Reſolved, That the marine committee be inſtructed and directed to reviſe the commiſſion and inſtructions heretofore ordered to be given to the commanders of privateers and letters of marque and repriſals, and the reſolutions heretofore paſſed relative to captures by ſea, and report ſuch a form of a commiſſion and ſuch inſtructions as they judge proper and ſuitable to our preſent circumſtances.

A letter of February the 27th from general Waſhington, and an extract of a letter of the 13th of the ſame month, from general Putnam, at Weſt-Point, were read.

Adjourned to ten o'clock to-morrow.

FRIDAY, *March* 6, 1778.

Ordered, That ſo much of general Waſhington's letter of February the 27th as relates to the court-martial on the officers in the northern department, be referred to a committee of four;

The members choſen Mr. Ellery, Mr. James Smith, Mr. Dyer and Mr. Lovell:

That ſuch parts of the ſaid letter as relate to the 13th Virginia regiment, and the ordering colonel Harriſon's regiment of artillery to Camp, be referred to the board of war.

A letter of the 3d from James Wilkinſon was read, ſetting forth that he is "informed the mark of diſtinc-" tion conferred on him has occaſioned a diſſatisfaction " in the army;" that "to obviate any embaraſſment " which may reſult from this diſpoſition, by the conſe-" quent reſignation of officers of merit, he begs leave to " relinquiſh his brevet of brigadier, wiſhing to hold no " commiſſion unleſs he can wear it to the honour and ad-" vantage of his country;" and that "this conduct, " however repugnant to faſhionable ambition, he finds " conſiſtent with thoſe principles on which he early drew " his ſword in the preſent conteſt:"

Reſolved, That his reſignation be accepted.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of colonel William Buchanan, commiſſary general of purchaſes, for twenty-ſix thouſand dollars, for the uſe of his department; he to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to Mr. Thomas Paine, for his ſervices as ſecretary to the committee for foreign affairs, from the 17th of April, 1777, to the 17th of February, 1778, ten months at ſeventy dollars per month, ſeven hundred dollars:

Ordered, That the ſaid account be paid.

A letter of the 2d from the committee at Camp was read:

Ordered, That it be referred to the board of war.

Four o'clock, P. M.

A letter of the 1ſt from the committee at Camp was read:

Ordered, That it be referred to the board of war.

A memorial from Thomas Leaming, of Cape May, New-Jerſey, was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 3d from the committee at Camp, incloſing a plan for the eſtabliſhment of a corps of engineers, and one of the 19th of February from general Heath at Boſton, were read.

A memorial from Robert Morris, in behalf of the owners of the privateer Phœnix, relative to a Portugueſe veſſel captured by the ſaid privateer, was read:

Ordered, That it be referred to a committee of five;

The members choſen Mr. Lovell, Mr. Clark, Mr. Ellery, Mr. Huntington and Mr. Forbes.

Adjourned to ten o'clock to-morrow.

SATURDAY, *March* 7, 1778.

A letter of the 16th of January laſt from colonel W. Cook, of the 12th Pennſylvania regiment, was read, praying for leave to reſign his commiſſion:

Reſolved, That his reſignation be accepted.

The board of war laid before Congreſs the following inſtructions to colonel Nathaniel Giſt:

"SIR,

"YOU being deſignated by his excellency general Waſhington to go with a talk to the Indian nations on

the borders of Virginia and the Carolinas, with a view to ſecure them in the intereſt of theſe ſtates, are hereby authoriſed and impowered to proceed therewith, and to engage in the ſervice of theſe ſtates, for the next campaign, any number of Indians not exceeding two hundred, alſo fifty of the inhabitants of the counties bordering on the Indian ſettlements, to ſerve with them, under officers whom they ſhall chuſe with your approbation; ſelecting for this ſervice, as far as poſſible, ſuch men as underſtand the Indian languages: but beſides theſe you are to engage ſo many interpreters as you ſhall judge neceſſary, not exceeding one to every fifty Indians; theſe interpreters ſhould be men proper to go with the Indians upon any military ſervices in which they ſhall be employed; and engaged on the beſt terms in your power, to ſerve as long as the Indians remain in ſervice. As an encouragement to the inhabitants to inliſt and to enable them to equip themſelves for the campaign, you are to give each non-commiſſioned officer and ſoldier a bounty of twenty dollars: they are to be inliſted to ſerve for ſix months after their arrival in Camp; and during their time of ſervice, which is to commence five days before their march from home, the officers and ſoldiers ſhall receive the ſame pay and rations as officers of the like ranks and ſoldiers in the continental army. And you are authoriſed to engage the Indians, who ſhall enter into the ſervice of theſe ſtates, a proper ſupply of proviſions and ſuch allowances in goods and neceſſaries as ſhall be in the power of the ſtates to furniſh, and their bravery and ſervices ſhall merit.

"To enable you to conduct this buſineſs with more diſpatch and advantage, and in order to ſupply the Indians and others whom you ſhall engage with proviſions and other neceſſaries, you are to get an aſſiſtant on the beſt terms you can. That you may accompliſh this buſineſs with the greater eaſe and certainty, the agents from the different ſtates, reſiding in the Indian countries for the managing of Indian affairs, are deſired and directed to give you all poſſible aſſiſtance.

"In order to fulfil your promiſes to and ſatisfy the reaſonable expectations of the ſeventeen Indians employed laſt ſummer on the eaſtern ſhore of Maryland, you are hereby impowered to purchaſe and deliver to each of them

them ſuch articles of cloathing, &c. as you ſhall judge indiſpenſibly neceſſary.

"You will receive herewith five thouſand dollars, for defraying the expences which you ſhall neceſſarily incur in the proſecution of the buſineſs above committed to you. You are to keep an account of your expenditures of money, and as far as may be get proper vouchers for the ſame."

Reſolved, That Congreſs agree to the ſaid inſtructions.

The committee appointed to prepare a recommendation to the ſeveral ſtates for ſetting apart a day of faſting, humiliation, and prayer, brought in the ſame; which was read and agreed to as follows:

WHEREAS Almighty God, in the righteous diſpenſation of his providence, hath permitted the continuation of a cruel and deſolating war in our land; and it being at all times the duty of a people to acknowledge God in all his ways, and more eſpecially to humble themſelves before him when evident tokens of his diſpleaſure are manifeſted;—to acknowledge his righteous government; confeſs, and forſake their evil ways;—and implore his mercy:—

Reſolved, That it be recommended to the United States of America to ſet apart Wedneſday the 22d day of April next, to be obſerved as a day of faſting, humiliation, and prayer;—that at one time and with one voice the inhabitants may acknowledge the righteous diſpenſations of Divine Providence, and confeſs their iniquities and tranſgreſſions, for which the land mourneth; that they may implore the mercy and forgiveneſs of God; and beſeech him that vice, prophaneneſs, extortion, and every evil, may be done away; and that we may be a reformed and happy people; that they may unite in humble and earneſt ſupplication that it may pleaſe Almighty God to guard and defend us againſt our enemies, and give vigor and ſucceſs to our military operations by ſea and land; that it may pleaſe him to bleſs the rulers and people, ſtrengthen and perpetuate our union, and in his own good time eſtabliſh us in the peaceable enjoyment of our rights and liberties; that it may pleaſe him to bleſs our ſchools and ſeminaries of learning, and make them nurſeries of true piety, virtue, and uſeful knowledge;

that

that it may pleaſe him to cauſe the earth to yield its increaſe, and to crown the year with his goodneſs.

And it is recommended to the inhabitants of the United States to abſtain on that day from labour and recreations.

Reſolved, That the commander in chief or commander of a department ſhall have full power and authority to ſuſpend or limit the power of granting furloughs or leave of abſence, and to reſerve it wholly to himſelf, or impart it to ſuch officer or officers under him as he thinks fit, according as he ſhall judge the good of the ſervice requires; and that no officer under colour or pretence of authority to him granted by the 2d article of the 4th ſection, or any other article, in the rules and articles of war, preſume to grant any furlough or leave of abſence contrary to the orders of the commander in chief, or commander of a department, on pain of being puniſhed for diſobedience.

The medical committee report,

"That they have carefully examined and conſidered the ſeveral allegations and teſtimonies for and againſt doctor William Rickman, deputy director general in the ſouthern department; that notwithſtanding it appears the North-Carolina and Virginia troops inoculated by the ſaid doctor Rickman at Alexandria ſuffered in general more in the courſe of the diſeaſe than is uſual, and that a number of them did die; yet as the committee are convinced that it was impracticable for the director to obtain in ſeaſon a variety of articles for their due accommodation in the hoſpitals, as many of them were badly cloathed, and all had, immediately before the operation, undergone a long and fatiguing march at a ſeaſon of the year when putrid diſeaſes generally prevail moſt; as from a regular return it appears that moſt of thoſe who were loſt died of a putrid fever; as the director really had not ſufficient aſſiſtance, and laſtly as one of the aſſiſtants of the name of Parker, who was employed from the neceſſity of the caſe, appears to have greatly abuſed the confidence and truſt repoſed in him by the director; whence a great part of the evils complained of by the patients may have ariſen; the committee are of opinion, that doctor Rickman ought to be acquitted of the charges exhibited againſt him; that the reſolution of the 20th day of December laſt for his ſuſpenſion be repealed, and that doctor Rickman be di-

rected

rected to repair immediately to his department, and resume the exercise of his duty there :"

Resolved, That Congress agree to the report of the committee.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of doctor William Rickman, for one hundred and forty dollars, in discharge of governor Caswell's draught on the treasurer, dated North-Carolina, June the 11th, 1777, in favour of Arell, Copper and Arell, for that sum, it being for the hire of horses, carriages and other necessaries furnished to colonel d'Erford and his party on their journey from that state to Philadelphia; the said colonel d'Erford to be accountable:

That a warrant issue on the treasurer in favour of the president, Henry Laurens, esquire, for two thousand one hundred and forty-seven dollars and 60-90ths, being the balance of his account of money advanced to a number of expresses, and a further sum of two thousand dollars, advanced for the pay of expresses and other contingent expences; for which sum he is to be accountable.

The board of treasury report, "that they have considered the memorial of Thomas Leaming referred to them, and are of opinion, that the said memorial be referred to his excellency the governor and supreme executive council of the state of New-Jersey, and that they be requested to ascertain the quantity of salt taken by the assistant commissary of the United States, or lost in consequence of the seizure, and the sum that ought to be allowed for the same: and that E. Blaine, esquire, deputy commissary general of purchases, be directed to pay Mr. Leaming the amount of the said salt, upon his producing a certificate from the governor and council aforesaid, specifying the sum to be paid :"

Resolved, That Congress agree to the report of the committee.

The president laid before Congress sundry bills of exchange drawn by the late William Kennon, on John Hancock, esquire, president of Congress, and moved, that an order pass for the payment of the same:

Resolved, That the consideration thereof be postponed to Wednesday next, and that the board of treasury report thereon.

Adjourned to ten o'clock on Monday. MONDAY,

MONDAY, *March* 9, 1778.

A letter of the 3d from the council of Pennſylvania was read:

Ordered, That it be referred to the board of war.

A letter of February 20th from brigadier Parſons at Weſt Point, with the proceedings of a court-martial on the trial of Thomas Doyle, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Lee, Mr. Clark and Mr. James Smith.

A letter of February 4th from the board of war, at Boſton, was read:

Ordered, That it be referred to the committee on governor Johnſon's letter.

A letter of the 1ſt from Jonathan Trumbull, junior, eſquire, paymaſter of the northern department, with an eſtimate of caſh wanted for that department, was read:

Ordered, That it be referred to the board of treaſury.

A letter of February 24th from colonel W. Aylett, and one of February 28th from colonel Champion, both directed to W. Buchanan, eſquire, commiſſary general of purchaſes, were laid before Congreſs and read:

Ordered, That the letter from colonel Aylett be referred to the board of treaſury; and that the letter from colonel Champion be referred to a committee of three;

The members choſen Mr. Wolcott, Mr. James Smith, and Mr. Harvie.

A letter from John Lawrence, eſquire, judge advocate general, dated Camp at White-Marſh, November 18th, 1777, and directed to James Duane, eſquire, was laid before Congreſs and read:

Ordered, That it be referred to the board of treaſury.

A letter of this day from Paul Turquand was read:

Ordered, That it be referred to the board of treaſury.

Four o'clock, P. M.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for thirty thouſand ſix hundred and three dollars, to be by him tranſmitted to his excellency the governor and council of the ſtate of Virginia, to reimburſe them that ſum advanced to Alexander Roſe, eſquire,

agreeably

agreeably to the requeſt of the board of treaſury, by a letter of the 24th of January laſt; the ſaid governor and council to be accountable:

That a warrant iſſue on the treaſurer in favour of lieutenant Thomas Hunt, for four thouſand four hundred and twenty-three dollars and 3-90ths, it being in diſcharge of a bill drawn by W. Palfrey, eſquire, paymaſter general, dated Camp, 4th inſtant, on the preſident of Congreſs, for that ſum, in favour of captain Peter Dolliver, for the uſe of colonel Jackſon's regiment; the ſaid paymaſter general to be accountable:

That a warrant iſſue on the treaſurer in favour of Ananias Hudſon, for ſix hundred and twenty-five dollars, in diſcharge of John Aſhe's three draughts on the treaſurer, dated North-Carolina, the 10th of May laſt, one in favour of captain Benjamin Stedman, for two hundred and fifty dollars, one in favour of enſign John Williams, for two hundred and fifty dollars, and the other in favour of Jahleel Smith, for one hundred and twenty-five dollars; the ſtate of North-Carolina to be accountable.

The commiſſioners of claims report,

That there is due to John Benezet, one thouſand three hundred and fifty-ſix dollars, for his ſalary as a commiſſioner of accounts to the 8th inſtant, included:

Ordered, That the ſaid account be paid.

A letter of the 2d from Mathew Irvin was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 2d from captain W. Nichols was read, praying for leave to reſign his commiſſion; alſo a letter of the 9th from colonel Hartley reſpecting the filling up his regiment, and one from doctor Ammi Ruhamah Cutter to Mr. Froſt, praying for leave to reſign, were read:

Ordered, That doctor Cutter have leave to reſign; that the letter from captain Nichols be referred to the board of war; and the letter from colonel Hartley to the delegates of Pennſylvania.

Reſolved, That the committee of foreign affairs be directed to make a reaſonable allowance to baron de Holzendorff for his expences to France.

The committee to whom was referred the letter from colonel Champion brought in a report, which was read:

Ordered, That the conſideration thereof be poſtponed.

Congreſs reſumed the conſideration of the report of the committee on the ſyſtem of the commiſſary, and ſome progreſs being made therein, *Reſolved*,

Resolved, That the farther consideration thereof be postponed till to morrow.

Adjourned to ten o'clock to-morrow.

TUESDAY, *March* 10, 1778.

A letter of this day from John Benezet was read, praying for leave to resign his office of commissioner of claims:

Ordered, That it be referred to the board of treasury.

A letter of the 7th from the executive council of Pennsylvania was read, representing that "the affairs of the "commonwealth of Pennsylvania are so circumstanced "as to admit the return of the prisoners sent from that "state into Virginia without danger to the commonwealth "or to the common cause of America—that the dange-"rous example which their longer continuance in ba-"nishment may afford on future occasions has already "given uneasiness to some good friends to the indepen-"dency of these states," and requesting, "if Congress "have no other reasons for continuing them in Virginia "than the council are acquainted with, that such orders "may be given as shall put those people again under the "direction and authority of the president and council of "their state;" and further desiring to be informed "whether Congress have any objection to the honorable "John Penn and Benjamin Chew, esquires, being like-"wise again returned under the authority of the state."

A letter of the 5th from governor Livingston, with a report from him on removing some officers in the department of the deputy quartermaster and commissary at Princeton, was read:

Ordered, That the same be referred to a committee of three;

The members chosen Mr. Clark, Mr. Ellery and Mr. Gerry.

A letter of the 6th from W. Patterson, esquire, attorney general of the state of New-Jersey, was read, representing that the duties of his office prevent his accepting the appointment which Congress have been pleased to confer upon him:

Ordered, That it be referred to the committee on the extract of general Washington's letter relative to the trial of the general officers in the northern department at the time of the evacuation of Ticonderoga and Mount-Independence.

A letter of the 5th from the committee at Camp, and inſtructions from general Waſhington to colonel Baylor, reſpecting the purchaſe of horſes, arms and accoutrements in Virginia and North Carolina, were read :

Ordered, That they be referred to the board of treaſury.

A repreſentation from the council and aſſembly of Pennſylvania was read :

Ordered, That it be referred to a committee of three ;

The members choſen Mr. Clark, Mr. Lovell and Mr. Gerry.

Reſolved, That the committee have power to call for papers.

Four o'clock, P. M.

The committee on the treaſury brought in a report ; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. G. Froſt, for eight hundred dollars, to be charged to the ſtate of New-Hampſhire :

That a warrant iſſue on the treaſurer in favour of Benjamin Mifflin, for twenty-five thouſand dollars, to be tranſmitted to Matthew Irwin, agent for Joſeph Trumbull, eſquire, late commiſſary general, for the payment of arrears ; and for which the ſaid Joſeph Trumbull is to be accountable :

That a warrant iſſue on the treaſurer in favour of William Buchanan, eſquire, commiſſary general of purchaſes, for the ſum of twenty-ſix thouſand dollars, for the uſe of his department ; and for which he is to be accountable :

That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of New-Jerſey, on the application of the marine committee, in favour of the navy board in the middle diſtrict, for eleven thouſand dollars ; to be charged to the marine committee.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due to the following perſons, to be paid to Peter Schultz, the ſum of five hundred and forty-eight dollars and 85-90ths, for tranſporting the baggage of the York county militia, under the command of colonel James Smith, in July, 1776, viz.

To Peter Shultz, for twenty-ſeven days and ferriage, one hundred and nine dollars and 37-90ths ; Francis

Jones,

Jones, twenty-three days, ninety-two dollars; Gotleib Reiger, twenty-ſix days, one hundred and four dollars; Michael Yeaſel, twenty-ſeven days, and ferriage, one hundred and ten dollars and 27-90ths; Philip Winder Meyer, ten days, and ferriage, forty-one dollars and 21-90ths; Barnabas Hoſtapple, twenty-three days, ninety-two dollars; making in all five hundred and forty-eight dollars and 85-90ths:

To colonel Nathaniel Giſt, two hundred and nine dollars and 47-90ths; a balance of his contingent account, which accrued on an embaſſy to the Cherokee Indians, by order of general Waſhington:

To Martin Breniſe, for the amount of his account for attendance on Congreſs from the 1ſt of December, 1777, to the 1ſt of March, 1778, at one third of a dollar per day, and for ringing the bell, &c. two thirds of a dollar per day, one hundred and fifty-three dollars and 30-90ths:

To the reverend Mr. Lotbinier, a Canadian chaplain, for one month's pay, ending this day, and for thirty-five rations, fifty-two dollars and 22-90ths:

Ordered, That the ſaid accounts be paid.

Congreſs reſumed the conſideration of the report on the ſyſtem of the commiſſary's department, and after debate,

Ordered, That the laſt paragraph be re-committed.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *March* 11, 1778.

A letter from the board of war, incloſing one of the 6th from governor Johnſon of Maryland, and other papers, was read:

Ordered, That ſo much of the letter from the board of war as relates to money be referred to the board of treaſury:

That the letter from governor Johnſon be referred to the committee on the repreſentation from the council and aſſembly of Pennſylvania.

The committee to whom was referred the letter from governor Livingſton, incloſing his report reſpecting the removal of ſeveral officers employed in the quartermaſter's department at Princeton in New-Jerſey, purſuant to the recommendation of Congreſs of the 9th of February laſt, brought in a report which was read; whereupon

Reſolved, That Congreſs highly approve the proceedings of governor Livingſton in removing the perſons mentioned

mentioned in his report of the 5th inſtant, and that the preſident tranſmit to him the thanks of Congreſs for his ready compliance with their wiſhes in undertaking a work ſo neceſſary to the intereſt of theſe United States, and for the aſſurance he gives of viſiting as ſoon as poſſible the ſeveral parts of that ſtate, more fully to carry into execution the aforeſaid reſolution:

Reſolved, That whatever expence may be incurred by the executive authority of any ſtate in executing the reſolution of Congreſs of the 9th of February laſt, authoriſing the executive powers of every ſtate to ſuſpend for miſbehaviour or remove as ſupernumerary any officers of the ſtaff or any civil officers, &c. ſhall be duly paid upon the accounts being laid before the board of treaſury.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer for forty thouſand dollars, in favour of the preſident and council of Pennſylvania, twenty thouſand of which to be applied towards the recruiting ſervice, and the remainder to pay off the militia; the ſaid ſum to be charged to the ſtate of Pennſylvania:

That a warrant iſſue on the treaſurer in favour of colonel Baylor, of the light dragoons, for fifty thouſand dollars, to be by him employed in the purchaſe of horſes, arms, and accoutrements for the uſe of the army of the United States:

That another warrant iſſue in his favour on William Armiſtead, eſquire, commiſſioner of the loan-office in the ſtate of Virginia, for thirty-five thouſand dollars, for the ſame purpoſe:

That another warrant iſſue in his favour on James Green, junior, commiſſioner of the loan-office in the ſtate of North-Carolina, for fifteen thouſand dollars, to be employed in the ſame manner; for all which ſums, amounting to one hundred thouſand dollars, colonel Baylor is to be accountable:

That a warrant iſſue on the treaſurer in favour of William Buchanan, eſquire, commiſſary general, for two hundred thouſand dollars, to be by him tranſmitted to colonel Henry Champion, for the purchaſe of live ſtock in the eaſtern department:

That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance,

for

for fifty thouſand dollars, to be by him tranſmitted to Iſaac Forſter, deputy director general of the military hoſpital in the eaſtern department, at Danbury, in Connecticut; for which ſum the ſaid deputy director general is to be accountable:

That a warrant iſſue on Joſeph Borden, eſquire, commiſſioner of the loan-office in the ſtate of New-Jerſey, for fifty thouſand dollars, in favour of colonel Mark Bird, on the application of general Mifflin, late quartermaſter general, who is to be accountable for the ſame.

The committee to whom was referred the letter relative to the purchaſe of proviſions for the army having brought in a report, the ſame was taken into conſideration, and after debate the farther conſideration thereof poſtponed to the afternoon.

Four o'clock, P. M.

Congreſs reſumed the conſideration of the report on colonel Champion's letter; whereupon

Reſolved, That a copy of colonel Champion's letter of February the 28th to colonel Buchanan, be referred to the legiſlature of the ſtate of Connecticut, and that it be ſubmitted to their wiſdom to deviſe a remedy for the evil complained of or feared, in ſuch a way and by ſuch means as they ſhall judge moſt for the public intereſt.

Ordered, That Mr. Roberdeau be excuſed from attending at the board of treaſury, and that Mr. Jonathan B. Smith be appointed a member of that board in his ſtead.

Adjourned to ten o'clock to-morrow.

THURSDAY, *March* 12, 1778.

A letter of February the 13th from meſſieurs R. T. Paine, O. Ellſworth and H. Marchant; one of February the 20th from Eleazer Wales; one of the 2d inſtant from Joſeph Trumbull, and one from Jonathan Trumbull, junior, with a letter incloſed from N. Appleton, were read:

Ordered, That the letter from Jonathan Trumbull, junior, eſquire, with that incloſed, be referred to the board of treaſury.

Reſolved, That a committee of three be appointed to examine the correſpondence between the commiſſary general of purchaſes and his deputies, reſpecting the ſupply of proviſions and the returns, &c.

The

The members chosen Mr. Clarke, Mr. Harvie and Mr. Forbes.

A report from the board of war was read; whereupon

Resolved, That captain William Nichol's resignation be accepted.

Resolved, That the report of the committee on the affairs of Roderique Hortales and Company be re-committ- accepted.

The committee of commerce brought in a report:

Ordered, That it be referred to a committee of the whole house, and that to-morrow Congress be resolved into a committee to consider it.

Resolved, That a letter be addressed by the president to the respective states, informing them that the multiplicity and importance of the business of Congress during the war will require the constant attendance of at least three members from each state; that from the want thereof the health of members has been frequently impaired, and the public business greatly obstructed; and that Congress request their immediate attention to this as a matter of great moment.

The marine committee laid before Congress a copy of a proposed letter to captain Barry, among other things impowering him to purchase, for the use of the continent, and to fit out a vessel which he has lately taken in Delaware Bay:

Resolved, That Congress approve of the purchase being made, and that it be referred to the marine committee to give such directions as they judge proper respecting the naming, officering and manning the said vessel when purchased, and the manner in which she is to be employed.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of colonel William Buchanan, commissary general of purchases, for one hundred and fifty thousand dollars, for the use of his department in the middle district; for which he is to be accountable.

Four o'clock, P. M.

A letter of the 4th from George Read, esquire, president of the state of Delaware, and one of the 9th from

Cæsar

Cæſar Rodney, both directed to Mr. M'Kean, the delegate from that ſtate, were laid before Congreſs and read:

Ordered, That the ſame be referred to the board of treaſury.

A letter of February the 19th from Mr. Colt to Mr. Buchanan was read:

Ordered, That it be referred to the board of war.

Congreſs reſumed the conſideration of the report on the ſyſtem of the commiſſary of purchaſes, and after debate

Ordered, That the farther conſideration thereof be poſtponed till to-morrow.

Adjourned to ten o'clock to-morrow.

FRIDAY, *March* 13, 1778.

A letter from colonel Ruſſel, of the 13th Virginia regiment, was read:

Ordered, That it be referred to the board of war.

A petition from the inhabitants of Weſtmoreland was read:

Ordered, That it be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer, for twenty-five thouſand dollars, to be paid to Peter Ozeas, for the uſe of the barrackmaſter general, and for which ſum the ſaid barrackmaſter general is to be accountable:

That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the loan-office in the ſtate of Pennſylvania, in favour of William Buchanan, eſquire, commiſſary of purchaſes, for two hundred thouſand dollars; and for which the ſaid commiſſary general is to be accountable.

The committee to whom was referred the trial and condemnation of Thomas Doyle, a ſoldier of colonel S. B. Webb's battalion, for deſerting to the enemy, in whoſe ſervice he was made priſoner; and the letter from brigadier S. Parſons, deſiring to be informed whether deſerters from the enemy are permitted to inliſt into the ſervice of theſe United States, and whether in caſe ſuch are inliſted, a deſerter of that character can be legally condemned and executed for deſertion, report as their opinion, "that although it hath been recommended to the officers of the army of theſe ſtates to refrain from inliſting deſerters from the enemy, yet ſuch being inliſted

and

and receiving bounty and pay, are in all reſpects ſubject to the articles of war, and liable to ſuffer death for deſertion; the rules and articles for the government of the troops raiſed or to be raiſed and kept in pay by and at the expence of the United States of America, making no diſtinction between the inhabitants of theſe ſtates and deſerters from the enemy taken into the ſervice:"

Reſolved, That Congreſs agree to the report of the committee.

Congreſs reſumed the conſideration of the report of the committee appointed to reviſe the ſyſtem of the commiſſary's department; whereupon

Reſolved, That a commiſſary general of purchaſes be appointed, with full powers to depute or remove any officer of his department:

That each aſſiſtant purchaſing commiſſary ſhall receive the following allowances for purchaſing proviſions and other articles, viz.

Flour or meal,	per cwt.	6-90ths of a dollar,
Hard bread,	per do.	8 do.
Freſh pork,	per do.	18
Salt pork in barrels,	per do.	24
Freſh beef, hide and tallow,	per do.	24
Salt beef in barrels,	per do.	24
Salt,	per buſhel,	6
Melaſſes,	per gallon,	3
Weſt-India rum,	per do.	3
American rum or whiſkey,	per do.	3
Rice,	per cwt.	6
Meat barrels for packing beef, pork or fiſh,	each	4
Bread caſks with lining hoops,	each	3
Vinegar,	per barrel,	3
Turnips and potatoes,	per buſhel,	4
Beans and peas,	per do.	6
Pickled ſhad,	per barrel,	12
Onions,	per buſhel,	5

That each aſſiſtant purchaſing commiſſary ſhall be allowed ten per cent. on the ſum which he ſhall ſave by purchaſing

purchaſing good proviſions at leſs prices than ſuch as are fixed in the reſpective ſtates:

That it ſhall be the duty of each deputy commiſſary general of purchaſes to ſuperintend the aſſiſtant purchaſers under him; ſee that the buſineſs of his department is properly conducted, and that full ſupplies of proviſions are ſeaſonably procured in his diſtrict; and that he ſhall be entitled to an allowance equal to one fifth part of the whole allowance made to his aſſiſtants as aforeſaid:

While this reſolution was under debate, a queſtion was moved, That the allowance to the deputy commiſſary general be one fourth part, &c.

New-Hampſhire,	Mr. Froſt,	*no*	*no*
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Wolcott,	*no*	
New-Jerſey,	Mr. Clark,	*ay*	*ay*
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. J. B. Smith,		
	Mr. James Smith,	*ay*	
	Mr. Clingan,	*ay*	
Maryland,	Mr. Forbes,	*ay*	*divided*
	Mr. Henry,	*no*	
Virginia,	Mr. Lee,	*no*	*no*
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Burke,		
South-Carolina,	Mr. Laurens,	*ay*	*ay*

So it paſſed in the negative.

The queſtion being put on one fifth,

Reſolved in the affirmative.

On the queſtion put to agree to the reſolution as amended, the yeas and nays being required,

New-Hampſhire,	Mr. Froſt,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Wolcott,	*no*	
New-Jerſey,	Mr. Clark,	*ay*	*ay*
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. J. B. Smith,		
	Mr. James Smith,	*ay*	
	Mr. Clingan,	*ay*	

Maryland,	Mr. Forbes,	*ay* }	*ay*
	Mr. Henry,	*ay* }	
Virginia,	Mr. F. L. Lee,	*ay* }	*ay*
	Mr. Harvie,	*ay* }	
North-Carolina,	Mr. Penn,	*ay* }	*ay*
	Mr. Burke,	}	
South Carolina,	Mr. Laurens,	*ay*	*ay*

So it was resolved in the affirmative.

Resolved, That it shall be the duty of the commissary general of purchases to superintend all the officers of his department; to give the necessary orders to the deputy commissaries general, and see that the business in each department is properly executed, and that full supplies of provisions for the army are seasonably procured; and that he shall be entitled to an allowance equal to one third part of the whole allowance made to his deputy commissaries general as aforesaid:

That the allowances herein provided for the commissary and deputy commissaries general, and assistant commissaries, shall be in lieu of all other rewards for their respective services and expences, including the pay of their clerks in purchasing provisions:

That the commissary general be directed to visit the armies and posts, and that he be subject to the orders of the commander in chief; and that he be excused from residing at the place where Congress sits, he keeping a clerk and office there, to which all returns shall be made, and which shall be under the inspection and direction of the board of war:

That the commissary general, deputy commissaries general, and assistant commissaries of purchases, govern themselves in all other respects by the regulations for the commissary's system passed in Congress, the 10th day of June last, and the subsequent resolutions of the 4th day of October last, except such parts thereof as are altered by these regulations.

Resolved, That a committee of three be appointed to report a plan for taking bonds with sufficient sureties from officers intrusted by the United States with public monies;

The members chosen Mr. Ellery, Mr. Henry and Mr. Burke.

A report from the board of war was read; whereupon

Resolved, That colonel Harrison's regiment of artillery be

be and they are hereby ordered from Virginia, to join the grand army, without the leaſt delay; agreeably to general Waſhington's requeſt:

Reſolved, That the part of the report, which relates to the 13th Virginia regiment, be poſtponed.

Reſolved, That general Waſhington be impowered to order colonel Hazen's or any other regiment from the northward, if he judges it proper, to join the main army as ſoon as the ſeaſon will admit.

Adjourned to ten o'clock to morrow.

SATURDAY, *March* 14, 1778.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of brigadier Scott, for two thouſand dollars, in diſcharge of a bill drawn by William Palfrey, eſquire, paymaſter general, for that ſum, on the preſident of Congreſs, dated *General Pay Office, the 6th of March*, in favour of the ſaid brigadier Scott, and expreſſed to be for the uſe of the forces of the United States; the paymaſter general to be accountable:

That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for five thouſand dollars, to enable the ſaid board to advance that ſum to colonel Nathaniel Giſt, for the purpoſe of recruiting Indians; the ſaid paymaſter to be accountable:

That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for ten thouſand dollars, to be advanced him for the purpoſe of paying contingent expences and other demands of the board of war; the ſaid paymaſter to be accountable.

The commiſſioners of claims report, that they have examined the accounts of the late commiſſioners of claims, and find that they have received from John Gibſon, eſquire, auditor general, the ſum of two thouſand five hundred and twenty dollars, which they have paid as follows, viz.

To ſundry officers and ſoldiers belonging to different regiments of the continental army, whoſe times were expired, and who were taken priſoners at Fort Waſhington, as per receipts, one thouſand four hundred and thirty-five dollars and 85 90ths;

To

To ſundry officers and ſoldiers belonging to different regiments of the flying camp, taken at Fort Waſhington, nine hundred and ſixty-two dollars and 59-90ths;

To Michael Hillegas, eſquire continental treaſurer, the balance, for which he is to be accountable, one hundred and twenty-one dollars and 36-90ths.

The board of treaſury having reported on the bills of exchange drawn by the late colonel William Kennon on John Hancock, eſquire, preſident of Congreſs, a motion was thereupon made,

"That the board of treaſury be directed to pay the ſaid bills;" whereupon the previous queſtion was moved, whether that queſtion ſhall be now put, and the yeas and nays required,

New-Hampſhire,	Mr. Froſt,	*ay*	1	*ay*
Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*	
	Mr. Lovell,			
Rhode-Iſland,	Mr. Ellery,	*no*	1	*no*
Connecticut,	Mr. Dyer,	*no*	*no*	
	Mr. Wolcott,	*ay*		
	Mr. Huntington,	*no*		
New-Jerſey,	Mr. Clark,	*ay*	*divided*	
	Mr. Scudder,	*no*		
Pennſylvania,	Mr. Roberdeau,	*no*	*no*	
	Mr. J. B. Smith,	*no*		
	Mr. James Smith,	*ay*		
	Mr. Clingan,	*no*		
Maryland,	Mr. Forbes,	*ay*	*divided*	
	Mr. Henry,	*no*		
Virginia,	Mr. F. L. Lee,	*ay*	*divided*	
	Mr. Harvie,	*no*		
North-Carolina,	Mr. Penn,	*no*	*ay*	
	Mr. Harnett,	*ay*		
	Mr. Burke,	*ay*		
South-Carolina,	Mr. Laurens.	*ay*	1	*ay*
Georgia,	Mr. Langworthy,	*no*	1	*no*

So it paſſed in the negative.

It was then moved, "that the ſaid report be re-committed," and the yeas and nays being required,

New Hampſhire,	Mr. Froſt,	*no*	1	*no*
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*	
	Mr. Lovell,			
Rhode-Iſland,	Mr. Ellery,	*ay*	1	*ay*
Connecticut,	Mr. Dyer,	*no*	*ay*	
	Mr. Wolcott,	*ay*		
	Mr. Huntington,	*ay*		

New-

New-Jerſey,	Mr. Clark,	*no*	*no*
	Mr. Scudder,	*no*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. J. B. Smith,	*no*	
	Mr. James Smith,		
	Mr. Clingan,	*ay*	
Maryland,	Mr. Forbes,	*no*	*divided*
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,		*ay*
	Mr. Harnett,	*ay*	
	Mr. Burke,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Langworthy,	*no*	*no*

So it was reſolved in the affirmative.

Ordered, That the bills of exchange, together with Mr. preſident Rutledge's letters of April, 1777, be returned to the reverend Mr. Paul Turquand, who preſented them for payment, and alſo a copy of Mr. Turquand's letter to Congreſs, if he ſhall deſire it.

A report from the board of war was read:

Ordered, That the conſideration thereof be poſtponed.

Reſolved, That John More, eſquire, of the county of Albemarle in Virginia, be appointed to act as an aſſiſtant commiſſary of purchaſes under William Aylett, eſquire, deputy commiſſary general, for procuring live cattle and pork for the uſe of the army under general Waſhington, ſo long as the ſaid deputy commiſſary general may find his ſervices neceſſary, and that he be directed to conform to the rules and regulations laid down in the commiſſary's ſyſtem, and receive the ſame allowance on his purchaſes as is thereby given to other aſſiſtant purchaſers; and that he be furniſhed from time to time with money from the treaſury for the above-mentioned purpoſes.

Adjourned to ten o'clock on Monday.

MONDAY, *March* 16, 1778.

Mr. Baniſter, a delegate from Virginia, attended and took his ſeat in Congreſs.

A letter of the 7th and 8th from general Waſhington was read, with ſundry papers incloſed, viz. a letter of February 14th from general Howe, one of the 22d containing depoſitions of Thomas Wileman, of the 17th dragoons, and ſerjeant George Thompſon, of the 63d regiment;

regiment; a declaration signed Thomas Franklin, agent for American prisoners in Philadelphia, and a report of Mr. Sanford, and one of the 2d of March:

Another letter of the 12th from general Washington, with copies of letters inclosed that passed between him and general Howe, was read:

Ordered, That so much of the said letters and papers as respect the settlement of accounts relative to prisoners previous to a general exchange, as directed by the resolution of the 26th of February, be referred to a committee of three;

The members chosen Mr. Lee, Mr. Henry and Mr. Huntington.

Ordered, That the remainder of the letters be referred to the board of war.

A letter of the 5th from governor Clinton was read:

Ordered, That it be referred to the committee on governor Johnson's letter of the 6th.

A letter of the 15th of February from governor Caswell was read.

A letter of the 1st from Benjamin Harrison, and one of February 27th from G. Wythe, were read:

Ordered, That the former be referred to the board of treasury and the latter to the marine committee.

A letter of February 15th from governor Caswell to F. L. Lee, esquire, was read:

Ordered, That it be referred to the board of war.

A letter of February 26th from J. Tazewell, continental agent in the state of Virginia, was read, desiring leave to resign his office;

Resolved, That his resignation be accepted, and that John Carter, esquire, be appointed in his stead.

A letter of the 10th from E. Boudinot, esquire, commissary general of prisoners, with three papers inclosed, directed to the board of war, was laid before Congress and read:

Ordered, That so much of the said letter as relates to money matters be referred to the board of treasury, and the remainder to the board of war.

Four o'clock, P. M.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of Cornelius Harnett, esquire, for the use of Francis

cis Brice, for two thouſand five hundred dollars, in diſcharge of John Aſhe's two draughts on the treaſurer dated the 27th of March, 1777, in favour of the ſaid Brice, one for one thouſand dollars, and the other for one thouſand five hundred dollars, both expreſſed to be for the uſe of the United States; the ſtate of North-Carolina to be accountable:

That a warrant iſſue on the treaſurer in favour of lieutenant William Frazier, for twenty thouſand dollars, to be by him conveyed to the honourable George Read, preſident of the ſtate of Delaware, advanced to and for which that ſtate is to be accountable.

A letter of the 7th from William Palfrey, eſquire, paymaſter general, directed to the board of treaſury, was read:

Ordered, That it be returned to the board.

Reſolved, That two members be added to the committee on the convention of committees at New-Haven, in the room of Mr. Witherſpoon and Mr. M'Kean, who are abſent;

The members choſen Mr. Baniſter and Mr. Huntington.

Congreſs reſumed the conſideration of the report of the board of war of the 13th, relative to the 13th Virginia regiment, and after debate,

Reſolved, That the conſideration thereof be poſtponed.

Reſolved, That the board of war be directed to deliver to the order of the preſident and council of Pennſylvania the priſoners ſent from that ſtate to Virginia.

Reſolved, That the application, "that the honourable John Penn and Benjamin Chew, may be delivered over to the order of the ſtate of Pennſylvania," be referred to a committee of three, who are directed to correſpond with the ſaid ſtate and report to Congreſs;

The members choſen Mr. Clark, Mr. James Smith and Mr. Henry.

Whereas Congreſs have not received information of the meaſures which the ſeveral ſtates have from time to time adopted in conſequence of their recommendations; and whereas ſuch information, together with the concurrence of the reſpective legiſlatures in vigorouſly executing the reſolutions of Congreſs, is eſſentially neceſſary to enable them to tranſact the important concerns of the United States:

Reſolved,

Reſolved, That the governors and preſidents of the ſaid ſtates be earneſtly requeſted to tranſmit to Congreſs, as ſoon as poſſible, atteſted copies of the acts paſſed by their reſpective legiſlatures in purſuance of recommendations of Congreſs which they may have received ſince the firſt day of November laſt; and of all acts which they may hereafter paſs in conſequence of future recommendations.

The committee to whom were referred ſundry letters received by the committee of commerce, relative to the claims of Roderique Hortales and Company, brought in a report:

Ordered, That it be referred to a committee of the whole; and that to-morrow Congreſs reſolve itſelf into a committee to conſider the ſame.

Congreſs took into conſideration the report of the board of war of the 14th; whereupon

Reſolved, That one full company of foot be raiſed in the town of Weſtmoreland, on the eaſt branch of Suſquehannah, for the defence of the ſaid town and the ſettlements on the frontiers and in the neighbourhood thereof, againſt the Indians and other enemies of theſe ſtates, the ſaid company to be inliſted to ſerve one year from the time of their inliſting unleſs ſooner diſcharged by Congreſs:

That officers be commiſſioned only in proportion to the number of men who ſhall be inliſted:

That the ſame pay and rations be allowed the company as to officers of the like ranks and ſoldiers in the continental army:

That the commiſſary general of purchaſes contract with a ſuitable perſon to ſupply the company with proviſions:

That the company find their own arms, accoutrements, cloaths, and blankets:

That the colonel, and in his abſence the next commanding field officer of the militia at the ſaid town of Weſtmoreland, be deſired and impowered to ſuperintend the ſaid company, give orders relative to the ſtation or ſtations it ſhall take for the defence of the country, or other proper military ſervices, and to ſee that the officers and men faithfully perform their duty, and on failure to give notice thereof to the board of war.

Adjourned to ten o'clock to-morrow.

TUESDAY,

TUESDAY, *March* 17, 1778.

The committee to whom was referred that part of general Washington's letters, relative to the exchange of prisoners, brought in a report:

Resolved, That the consideration thereof be postponed.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of James Milligan, esquire, commissioner of claims at the treasury, for one thousand two hundred and seventy-nine dollars, in full of his salary to this day inclusive.

According to the order of the day Congress resolved itself into a committee of the whole, to consider the report on the claims of Roderique Hortales and Company, and after some time the president resumed the chair, and Mr. Harvie reported, that the committee have had under consideration the matter to them referred, but not having come to a conclusion desire leave to sit again:

Resolved, That this afternoon Congress resolve itself into a committee of the whole, to consider farther the report on the claims of Roderique Hortales and Company.

Four o'clock, P. M.

Resolved, That the board of war be impowered and directed to appoint officers and fill up commissions for the company ordered by the resolution of yesterday to be raised for the defence of Westmoreland and the settlements adjacent, and to take every measure necessary for carrying the said resolutions into effect.

Congress then resolved itself into a committee of the whole, to consider farther the report of the committee on the claims of Roderique Hortales and Company, and after some time the president resumed the chair, and Mr. Harvie reported, that the committee have had under consideration the matter to them referred and have made some progress therein, but not having come to a conclusion desire leave to sit again:

Resolved, That to-morrow Congress be resolved into a committee of the whole, to consider farther the matter referred to them.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *March* 18, 1778.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the loan-office in the ſtate of Pennſylvania, in favour of Elias Boudinot, eſquire, commiſſary general of priſoners, for two thouſand five hundred dollars:

That another warrant iſſue on the commiſſioner of the loan-office for the ſtate of Maſſachuſetts-Bay, in his favour, for four thouſand dollars; and

Another on the commiſſioner of the loan-office in the ſtate of Connecticut, for a like ſum of four thouſand dollars; all which are for the uſe of his department, and to be charged to his account.

A memorial of Alexander Foſter, in behalf of B. M'Clenaghan and others, owners of the ſchooner Liberty, was read:

Ordered, That the ſaid memorial, together with the petition of William Bell, preſented on the 10th day of February, and that of James Gallagher on the 21ſt, be referred to a committee of three;

The members choſen Mr. Dyer, Mr. Clark and Mr. Langworthy.

Reſolved, That Mr. Baniſter be added to the committee on the treaſury.

An account of Timothy Edwards, commiſſioner of Indian affairs, was preſented to Congreſs:

Ordered, That it be referred to the board of treaſury.

Congreſs took into conſideration the report on the general's letter of the 7th and 8th, and after debate

Reſolved, That the farther conſideration thereof be poſtponed to the afternoon.

Four o'clock, P. M.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for twenty thouſand dollars, to be applied by the board for the purpoſe of purchaſing meat and hiring waggons in Virginia, for the ſervice of the grand army; the ſaid paymaſter to be accountable:

That a warrant iſſue on the loan-office in the ſtate of Georgia, in favour of Joſeph Clay, eſquire, deputy paymaſter

master general in the said state, for two hundred and two thousand four hundred and twenty three dollars, being the residue of the three hundred thousand dollars ordered by Congress in August last to be sent to the state of Georgia for the military chest, that remains unappropriated, which are to be drafted by the commanding officer in the state of Georgia for the subsistance of the continental troops under his command; the said paymaster to be accountable:

That a warrant issue on James Greene, junior, esquire, commissioner of the loan-office in the state of North-Carolina, in favour of the assembly of the said state, for thirty thousand dollars; the said state to be accountable:

That a warrant issue on the treasurer for one thousand two hundred dollars, in favour of major Clarke, one of the auditors of accounts in the main army, for the purpose of purchasing a covered waggon and four horses for the use of the auditors office in Camp; major Clarke to be accountable.

The marine committee brought in a report:

Ordered, That the consideration thereof be postponed.

A letter of the 14th from general Washington was read:

Ordered, That it be referred to the board of war.

A memorial from Thomas Bedwell was read:

Ordered, That it be referred to the board of war.

Congress resumed the consideration of the report of the committee on general Washington's letter of the 7th and 8th, continued to the 14th, and thereupon came to the following resolution;

Whereas by the express resolutions of Congress of the 19th of December and 26th of February last, no exchange of prisoners can take place until all accounts for support of the prisoners in our hands are liquidated and the balance due thereon discharged: and whereas the time allowed to several of the states to adjust and exhibit their claims will occasion great delay; and as an exchange of prisoners hath been agreed upon between general Washington and general Howe, and it being the earnest wish of Congress to relieve as soon as possible the unhappy sufferers now labouring under a cruel captivity, and it appearing by the late returns from the commissary of prisoners that if the present intended exchange shall take place a sufficient number of the enemy now in the power

of

of the United States will ſtill remain to ſecure the payment of any balance that may be due on account of their ſupport, and the views of Congreſs in the reſolutions aforeſaid be fully anſwered: therefore

Reſolved, That general Waſhington be authoriſed and impowered to proceed in the exchange of ſuch priſoners as are now in the power of the enemy, without waiting for the ſettlement of the accounts aforeſaid; and take meaſures for ſettling a general cartel for the exchange of priſoners in future, upon ſuch principles as may appear to him moſt advantageous to the United States, and agreeable to the afore-mentioned reſolutions:

On the queſtion put to agree to the preamble and the firſt clauſe of the reſolution, the yeas and nays being required,

New-Hampſhire,	Mr. Froſt,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*
	Mr. Lovell,	*no*	
Rhode-Iſland,	Mr. Eilery,	*no*	*no*
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Huntington,	*ay*	
New-York,	Mr. Lewis,	*ay*	*
New-Jerſey,	Mr. Clark,	*ay*	*ay*
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*no*	*divided*
	Mr. James Smith,	*ay*	
	Mr. J. B. Smith,	*declined voting*	
	Mr. Clingan,	*declined voting*	
Maryland,	Mr. Forbes,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. Harvie,	*ay*	
	Mr. Baniſter,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Burke,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved in the affirmative.

The committee on the treaſury brought in a report; whereupon

Reſolved, That the reſignation of John Benezet be accepted, and that his pay ceaſe from the date of his letter.

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. Joſeph Nourſe, paymaſter to the board of war

war and ordnance, for twenty-five thouſand dollars, to be by him tranſmitted to William Finnie, deputy quartermaſter general in Virginia, and that general Mifflin, late quartermaſter general, be charged with the ſaid ſum, and furniſhed with a copy of this reſolution:

That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for fifty thouſand dollars, to be by him tranſmitted to Benjamin Harriſon, eſquire, deputy paymaſter general in Virginia, for the uſe of his department; he to be accountable.

Adjourned to ten o'clock to-morrow.

THURSDAY, *March* 19, 1778.

Ordered, That the committee appointed to reviſe the rules for regulating the conduct of Congreſs in tranſacting buſineſs bring in their report on Monday.

Ordered, That the letters of the 7th, 8th, and 12th, with the papers incloſed, from general Waſhington, be delivered to the committee to whom were referred thoſe parts relative to the general exchange of priſoners.

A letter of the 19th from J. M'Pherſon was read:

Ordered, to lie on the table.

A letter of the 11th and one of the 12th from major general the marquis de la Fayette were read:

Ordered, That they be referred to a committee of three;

The members choſen Mr. Ellery, Mr. Baniſter and Mr. Henry.

Four o'clock, P. M.

A report from a board of general officers to general Waſhington was read; whereupon

Reſolved, That general Waſhington call in and cancel the commiſſions of brigadiers Woodford, Muhlenberg, Scott and Weedon.

A letter from the board of war was read; alſo a report on the letter of the 14th from general Waſhington:

Ordered, That the report lie on the table.

Another report from the board of war was read; whereupon

Reſolved, That the government of the ſtate of Pennſylvania be requeſted to ſtation five hundred militia at the following places in that ſtate, under active and prudent officers, viz. two hundred men at Eaſton, one hundred at Bethlehem,

Bethlehem, and two hundred at Reading, for the defence of the magazines of military and other ſtores and proviſions at thoſe places, and to keep the communication ſecure from any ſudden incurſions of the enemy, until the board of war or general Waſhington ſhall think it expedient to diſcharge the ſaid militia.

Ordered, That the remainder of the report be referred to the delegates of Pennſylvania.

Another report from the board of war was read; whereupon

Reſolved, That it be earneſtly recommended to the ſeveral ſtates to take the moſt ſpeedy and effectual meaſures for raiſing their quotas of men agreeably to the reſolutions of the 26th of February, and to cauſe the men ſo raiſed or which had been raiſed, previous to the paſſing that reſolve, to march to their places of rendezvous without delay, taking care that as many as poſſible come armed and accoutred:

And that a more certain and adequate ſupply of accoutrements may be provided,

Reſolved, That it be recommended to each ſtate to appoint ſome ſuitable perſon or perſons to get made, with all poſſible diſpatch, as many compleat ſets of accoutrements and ſpare bayonet ſheaths as ſhall be ſufficient for their reſpective quotas of troops; the cartridge boxes to be made to hold at leaſt twenty-nine rounds of cartridges when made up with ounce balls, and the cover of good ſubſtantial leather, with a ſmall cover or flap under it, that the ammunition may be moſt effectually guarded againſt rain: and to prevent impoſitions from the workmen, that proper inſpectors be appointed to examine and receive the accoutrements, with orders to reject ſuch as are bad and inſufficient; and that the accoutrements ſo provided be ſent forward with the troops or as ſoon after as poſſible:

That, in caſe in any ſtate they have quantities of tin, inſtead of the cartouch boxes an equal number of tin cartridge caniſters be furniſhed, agreeable to a pattern or deſcription to be ſent by the board of war:

Reſolved, That the farther conſideration of the report be poſtponed.

Adjourned to ten o'clock to-morrow.

FRIDAY,

FRIDAY, *March* 20, 1778.

A letter of this day from W. Buchanan was read:

Ordered, That it be referred to the committee appointed to reviſe the ſyſtem of the commiſſary's department; and that a member be added to the ſaid committee in the room of Mr. Harvie who is abſent;

The member choſen Mr. F. L. Lee.

A letter of the 7th from Egbert Benſon, to the delegates of the ſtate of New-York, was read.

A letter of the 15th from W. Palfrey, eſquire, paymaſter general, was read:

Ordered, That it be referred to the board of treaſury.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to Allen M'Donald, Alexander M'Donald, Allen M'Donald, Reynald and Archibald M'Donald, priſoners at Frederick-Town, Maryland, and their three ſervants, fifteen weeks allowance, from the 20th of November laſt to the 5th inſtant, both days included, at three dollars and 66-90ths for themſelves each, and one dollar for each ſervant, three hundred and twenty-five dollars, which ſum is to be paid to either of the M'Donalds:

Ordered, That the ſaid ſum be paid.

Congreſs took into conſideration the report of the marine committee; whereupon

Reſolved, That officers of the continental navy not in actual ſervice be allowed their pay, but not their rations, nor the ſubſiſtance money allowed by the reſolution of the 25th of July, 1777:

That ſuch officers of the navy as are or may be taken by the enemy be allowed the pay while in the enemy's poſſeſſion or under parole, and rations during their captivity, deducting therefrom ſuch ſupplies as they may in that time have received from the enemy.

Four o'clock, P. M.

A letter of the 16th from general Waſhington, with two papers incloſed, was read:

Ordered, That the ſame be referred to the board of war, who are directed to report this evening.

The committee to whom was referred the repreſentation from the preſident and council of Pennſylvania, brought in a report; whereupon

Reſolved,

Reſolved, That the ſupreme executive council of Pennſylvania be requeſted to take meaſures, that the law lately paſſed in that ſtate, for the expreſs purpoſe of filling magazines for the uſe of the continental army, be effectually executed by the commiſſioners named in the ſaid law, for obtaining the thirty thouſand barrels of flour directed to be laid up on the eaſt ſide of Suſquehannah, and ſuch other kinds of proviſions as may be in their power to procure, unleſs Congreſs ſhall find that quantity of flour unneceſſary to be procured, and ſhall give orders accordingly: that the commiſſioners who act on the weſt ſide of Suſquehannah uſe their endeavours to purchaſe and lay up ſuch quantities of proviſions, and in ſuch places as the board of war ſhall deem neceſſary for the uſe of the army in caſe of emergency:

That Congreſs conceive all cauſe of complaint againſt the inſtructions of the board of war to their ſuperintendants muſt now ceaſe, as three of the ſaid ſuperintendants have been diſmiſſed, and it is expreſsly enjoined upon the others to conform to the regulations of the ſtate in which they are from time to time employed:

That the preſident of the ſtate of Pennſylvania be informed, that whatever rate the legiſlature of that ſtate has fixed for the wages of waggons, ſhall be paid for the waggons of that ſtate employed in the ſervice of the continent ſince thoſe rates were enacted:

That major general Mifflin, late quartermaſter general, be directed to cauſe immediate payment to be made of all wages juſtly due from him to the inhabitants of the ſtate of Pennſylvania, whoſe waggons have been employed by him in the continental ſervice:

That the commiſſioners appointed by the law of Pennſylvania to fill certain magazines for the uſe of the continental army, be directed to confine their purchaſes within the limits of their own ſtate.

A letter from Thomas Hite, of Berkly in Virginia, to the preſident of the board of war, was read:

Ordered, That it be returned to the board of war, and that they be directed to take proper meaſures by writing to the deputy commiſſary general of purchaſes in that ſtate or to Mr. Hite, for ſecuring the bacon mentioned in his letter.

Congreſs reſolved itſelf into a committee of the whole, and after ſome time the preſident reſumed the chair, and

Mr.

F. L. Lee reported, that the committee have had under their farther conſideration and have come to ſome reſolutions thereon, which he was directed to report when the houſe is ready to receive it:

Ordered, That it be now received, and that the conſideration thereof be poſtponed till to-morrow.

The board of war, to whom the letter of the 16th from general Waſhington, was referred, having reported thereon,

Ordered, That the conſideration of the report be poſtponed till to-morrow.

Adjourned to ten o'clock to-morrow.

SATURDAY, *March* 21, 1778.

A letter of the 7th from George Clymer, eſquire; one of the 2d from colonel G. Morgan; one of the 8th of Auguſt, 1777, from Bernardo de Galves, governor of New-Orleans; one of the 19th of November from Francis Cruzat, commandant at Illinois; alſo a letter of the 17th inſtant from general Waſhington, incloſing an extract of a letter of the 7th from brigadier Parſons, and copies of two letters, one dated the 2d and the other the 27th of December, from general Putnam; were read.

Congreſs took into conſideration the report of the board of war on the general's letter; whereupon

Reſolved, That the command of all the troops which now are or ſhall be collected and ſtationed in the ſtate of New-York and in the whole northern department, be veſted in one general officer; that this officer have in charge all the forts, poſts and paſſes therein, and authority to erect and make ſuch fortifications as he, with the advice of governor Clinton and the general officers there, ſhall judge neceſſary for ſecuring the ſame, and to execute all the powers lately given by Congreſs and the board of war relative to the defence of the North river:

That governor Clinton be requeſted to yield to the ſaid general officer all the aid in his power in erecting and making the fortifications and obſtructions aforeſaid:

That, for the more ſpeedy defence of the North-river, the ſaid general officer, or in caſe of his abſence or ſickneſs the officer next in command, in the diſtrict above deſcribed, be directed forthwith to draw together, at the Highlands, ſuch of the troops therein as he ſhall deem expedient.

And

And as the works would be greatly expedited if moſt of the continental troops now at Albany were employed therein ; to enable him to do this, the ſaid general officer is hereby authoriſed to aſk of the government of the ſtate of New-York ſuch numbers of their militia as he ſhall judge neceſſary, to ſerve at Albany for the ſecurity of the arſenal and magazines there, until the obſtructions at the Highlands are in ſuch condition as to render any ſudden attempt upon Albany by that paſs impracticable ;

That for manning the gun-boats and floating batteries built or building on the North river, the ſaid general officer have power to engage the neceſſary officers and men for ſuch time and on ſuch terms as he ſhall judge proper.

Five o'clock, P. M.

The committee on the treaſury brought in a report ; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of William Stanton, eſquire, for eight thouſand ſix hundred and ſeventy dollars, in diſcharge of a draught by William Palfrey, eſquire, paymaſter general, dated the 15th inſtant, on the preſident, in favour of the ſaid Stanton, for that ſum, expreſſed to be for the uſe of the army of the United States ; for which the paymaſter general is to be accountable.

A petition from James Norris was read :

Ordered, That it be referred to a committee of three ;

The members choſen Mr. Harnett, Mr. Langworthy and Mr. M'Kean.

Reſolved, That the board of war be directed to nominate a proper perſon to ſerve as town-major in the town of York, or ſuch other town as Congreſs ſhall ſit in, and to give proper orders that all ſtrangers arriving at or paſſing through ſuch town ſhall be duly examined, and report duly made touching ſuch matters as may any way relate to the public ſafety. alſo to order proper guards to be ſtationed at all the ferries on Suſquehannah river, from the mouth thereof to Harris's ferry, incluſive, and to give proper inſtructions to the officers commanding ſuch guards relative to the examinations (and arreſt if neceſſary) of all perſons who ſhall attempt to croſs the ſaid river.

The committee to whom was referred the memorial of Alexander Forſter, &c. report,

" That

"That having examined the account of the ſaid Alexander Forſter, and gained the beſt information they were able of the prices of the ſalt, rum and ſugar taken or bought by the commiſſary for the uſe of the army, the latter end of October and beginning of November laſt, in New-Jerſey, they find the ſame to be as follows; good imported ſalt twenty dollars per buſhel, rum ſix dollars and 2-3ds per gallon, ſugar one hundred and ſix dollars and 2-3ds per hundred; they are therefore of opinion, that the commiſſary or deputy commiſſary general of purchaſes ſhould ſettle the account with A. Forſter and company at the price and rate aforeſaid, and allow them lawful intereſt after the time that payment ought to have been made; and that the flour Mr. Forſter has received in payment be eſtimated at the then current price:"

Reſolved, That Congreſs agree to the ſaid report.

The committee to whom were referred the letters of the 11th and 12th from the marquis de la Fayette, brought in a report; whereupon

Ordered, That a committee of three be appointed to prepare the draught of a letter, to be ſigned and ſent by the preſident, to the marquis, in anſwer to the ſaid letters;

The members choſen Mr. F. L. Lee, Mr. Burke and Mr. M'Kean.

Reſolved, That the powers given to major general M'Dougal by general Waſhington, mentioned in his letter of the 16th, be confirmed by Congreſs:

That colonel Van Schaick's and colonel James Livingſton's regiments be ordered to Peeks-Kill:

That governor Clinton and governor Trumbull be requeſted to give every aſſiſtance in their power to general M'Dougal for perfecting the defence of the North river.

Adjourned to ten o'clock on Monday.

MONDAY, *March* 23, 1778.

A letter of February 28th from Otis and Andrews, of Boſton, with ſundry papers incloſed, was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 16th from general Waſhington was read, and alſo one incloſed from colonel Webb, requeſting leave to reſign his commiſſion:

Ordered, That the general's letter be referred to the board of war:

That colonel Webb have leave to reſign. The

The board of war having tranſmitted to Congreſs the following letters, viz. one of the 19th from colonel Hollingſworth to the board, one of the 18th from the ſame to colonel Buchanan, and one of February 21ſt from general Waſhington to colonel Hollingſworth; the ſame were read and returned to the board.

A letter of the 18th from general Waſhington, with one incloſed from brigadier Smallwood, was read.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due to Samuel Downe, eſquire, his pay as commiſſioner of accounts at Hartford, from February 4th, 1777, to March 18th, 1778, a balance of one thouſand one hundred and ninety-eight dollars:

To Timothy Edwards, eſquire, his pay as commiſſioner for Indian affairs in the northern department, to January 11th, 1778, four hundred and ſixty dollars:

To John Spangler, for the tranſportation of the baggage of the Pennſylvania militia in January, 1778, fifty-two dollars:

To George Pentz, for tranſporting the baggage of Pennſylvania militia in January, 1777, fifty-two dollars:

To Jacob Lefever, for tranſporting baggage of Pennſylvania militia in July, 1776, twenty-eight dollars:

To Peter Wolf, for victualing ſundry parties of Pennſylvania militia, eleven dollars and 86-90ths:

Ordered, That the ſaid ſums be paid.

The commiſſioners of claims report, that they have examined the accounts of the board of war up to the 4th of February, and find a balance due by the board to the United States of four hundred and fifty-nine dollars and 75-90ths, which is paid to them (the commiſſioners,) and for which they are ready to account and are to be charged therewith.

A certificate of lieutenant colonel Adam Hubley in favour of lieutenant Berwick, was read:

Ordered, That it be referred to the board of treaſury.

Five o'clock, P. M.

Mr. Chaſe, a delegate from Maryland, attended and took his ſeat.

A letter of the 20th from governor Johnſon was read:

Ordered, That it be referred to the board of treaſury.

The

The committee to whom was referred the petition of James Norris, brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of James Norris, for one thouſand five hundred and twenty-ſeven dollars and 60-90ths, in full payment of his capture from the enemy on the 9th of January, 1777, at Elizabeth-Town in New-Jerſey, which was diſpoſed of to the army of the United States.

Reſolved, That general Conway be directed to repair to the army at Peeks-Kill, now under the command of general M'Dougal, who, while he continues in that command, is authoriſed to draw on Jonathan Trumbull, eſquire, paymaſter in the northern department, for money to anſwer ſuch demands as relate to the army on Hudſon's river.

A petition of captain Sullivan was read:

Ordered, That it be referred to the board of war.

A letter of the 15th from John Baynton was read:

Ordered, That it be referred to the board of treaſury.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the delegates of the ſtate of Maryland, for one hundred thouſand dollars, to be by them tranſmitted to the governor and council of that ſtate, for the purpoſe of purchaſing proviſions for the grand army; the ſaid ſtate to be accountable:

That a warrant iſſue on the treaſurer for one thouſand one hundred dollars, in favour of major general Gates; for which he is to account.

Congreſs took into conſideration the report of the committee of the whole on the letters relative to the claims of Roderique Hortales and Company, and after debate,

Ordered, That the farther conſideration thereof be poſtponed.

Ordered, That a warrant iſſue on the treaſurer in favour of the committee of commerce, for twenty thouſand dollars, to be paid to Mr. de Francey, agent for Roderique Hortales and Company, alias monſieur Beaumarchais, and that the exchange be adjuſted at the rate of four hundred per cent.

Adjourned to ten o'clock to-morrow.

TUESDAY,

TUESDAY, *March* 24, 1778.

A letter of January 27th from colonel Ganſevoort, and one of the 12th inſtant from brigadier Learned, requeſting leave to reſign his commiſſion, were read:

Ordered, That the letter from colonel Ganſevoort be referred to the board of war.

Reſolved, That the reſignation of brigadier Learned be accepted.

A letter of January the 23d from the council of Maſſachuſetts-Bay was read:

Ordered, That it be referred to the board of war.

A letter of the 10th and one of the 12th from major general Heath were read, the former incloſing copies of the following letters, viz. one of the 4th from captain Dalrymple to lieutenant general Burgoyne; one of the 8th to general Burgoyne, and general Burgoyne's anſwer of the 9th, and ſundry letters that paſſed between major general Heath and captain Dalrymple; alſo a requeſt of lieutenant colonel Sutherland, of the 47th regiment;

Ordered, That ſo much of the letter of the 10th as relates to money be referred to the board of treaſury.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of John Bradley, for twenty thouſand dollars, to be conveyed to John Baynton, eſquire, deputy paymaſter general for the weſtern diſtrict; the ſaid paymaſter to be accountable:

That a warrant iſſue on the treaſurer in favour of Thomas Stuart, for ten thouſand five hundred dollars, to diſcharge a draught of his excellency Richard Caſwell, governor of North-Carolina, on the treaſurer, dated Newbern, the 22d of December, 1777, for ten thouſand dollars, in favour of William Skinner, eſquire, treaſurer of the northern diſtrict of the ſaid ſtate, expreſſed to be for the purpoſe of purchaſing leather and deer ſkins, agreeably to a reſolve of Congreſs; and John Aſhe's draught on the treaſurer dated the 18th of April laſt, for five hundred dollars, in favour of major Hardy Murfree, expreſſed to be for the uſe of the continental troops; the ſaid ſtate to be accountable.

Five

Five o'clock, P. M.

A motion was made, that Congreſs ſit but once a day, from nine in the morning to two in the afternoon, preciſely; whereupon the previous queſtion was moved and the ſame being put,

Paſſed in the affirmative,

The main queſtion being then put, and the yeas and nays required,

New-Hampſhire,	Mr. Froſt, *declined anſwering*		} no
	Mr. Folſom,	*no*	
Maſſachuſetts-Bay,	Mr. Gerry,	*no*	}
	Mr. Lovell,	*no*	} no
	Mr. Dana, *declined anſwering*		}
Rhode-Iſland,	Mr. Ellery,	*ay*	1 *ay*
Connecticut,	Mr. Dyer,	*no*	}
	Mr. Wolcott,	*no*	} no
New-York,	Mr. Lewis,	*ay*	1 *
New-Jerſey,	Mr. Clark,	*no*	}
	Mr. Scudder,	*no*	} no
Pennſylvania,	Mr. Roberdeau,	*no*	}
	Mr. James Smith,	*ay*	} no
	Mr. Clingan,	*no*	}
Delaware,	Mr. M'Kean,	*ay*	1 *ay*
Maryland,	Mr. Chaſe,	*ay*	}
	Mr. Forbes,	*ay*	} ay
	Mr. Henry,	*ay*	}
Virginia,	Mr. F. L. Lee,	*ay*	}
	Mr. Baniſter,	*ay*	} ay
North-Carolina,	Mr. Harnett,	*ay*	}
	Mr. Burke,	*ay*	} ay
South-Carolina,	Mr. Laurens, *declined anſwering*		
Georgia,	Mr. Langworthy,	*ay*	1 *ay*

So it was reſolved in the affirmative.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *March* 25, 1778.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the marine committee, for three thouſand dollars, for the purpoſe of defraying their contingent expences; for which they are to be accountable.

Congreſs reſumed the conſideration of the report of the committee of the whole, and after debate,

Ordered,

Ordered, That the farther conſideration be poſtponed.

Ordered, That a warrant iſſue on the treaſurer in favour of the board of war, for two hundred thouſand dollars, for public ſervice; the ſaid board to be accountable.

Reſolved, That a committee of three be appointed and authoriſed to enquire into the ſtate of the purchaſes of wheat and flour for the uſe of the army, made by the ſuperintendants, the commiſſioners of the ſtate of Pennſylvania, and the purchaſing commiſſaries, and report thereon;

The members choſen Mr. James Smith, Mr. Chaſe and Mr. Ellery.

A letter from the board of war was read.

Adjourned to nine o'clock to-morrow.

THURSDAY, *March* 26, 1778.

A memorial from W. Bedlow was read:

Ordered, That it be referred to the board of treaſury.

A letter of February 24th from the council of Maſſachuſetts-Bay, reſpecting allowances to be made to ſick and wounded ſoldiers, was read.

A letter of the 17th from governor Livingſton was read, informing, that as priſoners begin to paſs through Princeton, and recruits ſoon will, he has found it neceſſary to appoint Mr. Thomas Stockton to be iſſuing commiſſary there, and fixed his wages at twenty dollars a month, and allowed his clerk two thirds of a dollar per day:

Reſolved, That Congreſs approve the appointment.

Ordered, That the letter be referred to the board of treaſury.

A letter of January 27th from colonel Ganſevoort was read:

Ordered, That it be referred to the board of war.

Congreſs reſumed the conſideration of the letter of the 25th from the board of war; whereupon

Ordered, That it be referred to a committee of five, and that they confer with the board of war and report ſpecially on the ſubjects mentioned therein;

The members choſen Mr. Dana, Mr. Chaſe, Mr. M'Kean, Mr. Scudder and Mr. Folſom.

Congreſs having great reaſon to expect an invaſion of the ſtate of Delaware, and being apprehenſive that the enemy

enemy will be assisted or joined by the disaffected there, and considering the present condition of that government, and its inability to exercise such powers as are immediately and absolutely necessary for its preservation;

Resolved, nemine contra dicente, That brigadier Smallwood be directed to secure the persons of Thomas White, Charles Gordon, and such other inhabitants of that state as he shall, upon good grounds, suspect to be disaffected, and whose being at large will be dangerous to the independence of these states, and to send them under guard to such safe place or places as he shall think proper.

Two of the committee lately sent to Camp being returned, moved sundry resolutions respecting the army, which were read:

Ordered, That the consideration thereof be postponed till to-morrow.

Adjourned to nine o'clock to-morrow.

FRIDAY, *March* 27, 1778.

A letter of the 20th from the marquis de la Fayette was read:

Ordered, That it be referred to a committee of four; The members chosen Mr. Duer, Mr. M'Kean, Mr. Huntington and Mr. F. L. Lee.

A letter of the 26th from the council of Pennsylvania was read:

Ordered, That it be referred to the board of treasury.

Resolved, That the fortifications and works at Ticonderoga and Mount Independence be demolished, and that the board of war give the necessary orders for carrying this resolution into execution.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of major John Clarke, for eight hundred dollars, for the purpose of paying the contingent expences of the auditors office in the army; he to be accountable.

The board of treasury having informed Congress that Mr. Joseph Henderson, chosen one of the auditors of accounts for the northern district, for reasons set forth in his letter to the board, is unable to accept the appointment;

Resolved, That another commissioner be appointed, and that to-morrow be assigned for that purpose.

In consequence of an adjustment by the commissioners of claims the auditor general reports,

That the commiſſioners have examined the accounts of captain William Scott, for pay due to his officers and men to the end of February, 1778, and ſubſiſtance to the 19th of the ſame month; alſo recruiting expences and expences of marching to this place, amounting to two thouſand ſeven hundred and forty-ſeven dollars and 30-90ths, excluſive of one hundred and eighty dollars which he claims for bounty paid to nine men who have abſconded; of which he ſays he has received from colonel Thruſton one thouſand four hundred dollars, and by a warrant on the treaſurer the ſum of five hundred dollars, which two ſums deducted from the amount of his account, there remains a balance of eight hundred and forty-ſeven dollars and 30-90ths:

That they have examined the accounts of Chriſtopher Ludwig, ſuperintendant of bakers for the continental army, amounting to five thouſand three hundred and fifteen dollars and 43-90ths, including his pay to the 3d inſtant, of which he has received from Mr. Stewart, commiſſary of iſſues, four hundred dollars, and from Mr. Buchanan, commiſſary general of purchaſes, three thouſand two hundred and fifty dollars, which two ſums being deducted from his account there remains a balance of one thouſand ſix hundred and ſixty-five dollars and 43-90ths, including one hundred dollars advanced to Michael Harvey at Burlington; for which he is hereafter to account:

Ordered, That the ſaid balances be paid.

Ordered, That the ſaid report, ſo far as relates to captain Scott's claim of one hundred and eighty dollars, be re-committed to the board of treaſury.

Reſolved, That in caſe the ſtate of Pennſylvania ſhall grant to colonel Thomas Hartley the ſtate bounty for the men that may be inliſted in that ſtate for his regiment, the ſtate ſhall have credit in its quota of troops for ſuch men.

A report from the board of war, relative to captain Ebenezer Sullivan, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Duer, Mr. J. Smith and Mr. Clarke

Reſolved, That the propoſitions moved yeſterday, reſpecting the army, be referred to a committee of the whole Congreſs.

Congreſs

Congreſs was then reſolved into a committee, and after ſome time the preſident reſumed the chair, and Mr. Lee reported, that the committee have had under conſideration the propoſitions referred to them, but not having come to any determination thereon deſired leave to ſit again:

Reſolved, That Congreſs this afternoon reſolve itſelf into a committee of the whole, to conſider farther the propoſitions reſpecting the army.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to Mr. Folſom, for his and Mr. Dana's expences on a committee to Camp, and for his expences returning, the ſum of one hundred and ten dollars and 57 90ths:

Ordered, That the ſaid account be paid.

The committee on the treaſury brought in a report; whereupon

Reſolved, That the certificate of lieutenant colonel Hubley, of the 22d inſtant, repreſenting that lieutenant James Berwick had performed the duty of judge advocate ſince the 4th day of February laſt, in a general court-martial ordered by the commander in chief, in which lieutenant colonel Hubley was preſident, be referred to major Clark and M. Clarkſon, eſquires, auditors in the army, who are directed to conſult with general Waſhington and report to him a proper allowance, to be paid out of the military cheſt, for the ſervices performed by the ſaid lieutenant Berwick.

Reſolved, That John Lawrence, eſquire, judge advocate general, be hereafter allowed ſeventy-five dollars per month, his former rations, and forage for two horſes.

Reſolved, That the commiſſioners appointed to enquire into the cauſes of the miſcarriage of the expedition againſt Newport exhibit their accounts to the deputy paymaſter general, or any of his aſſiſtants in the eaſtern department, who are authoriſed and directed to pay the ſame.

Ordered, That a warrant iſſue on Derk Ten Broeck, eſquire, commiſſioner of the continental loan office in the ſtate of New-York, for twenty-ſeven thouſand three hundred and thirteen dollars, in favour of Jonathan Trumbull, junior, eſquire, paymaſter in the northern department, for the uſe of his department, and for which he is to be accountable.

A letter of the 24th from general Waſhington, with ſundry papers incloſed, was read: *Ordered*,

Ordered, That the ſame be referred to the board of war.

Congreſs was reſolved into a committee, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther conſideration the propoſitions reſpecting the army, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That to-morrow morning Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions referred to them.

Adjourned to nine o'clock to-morrow.

SATURDAY, *March* 28, 1778.

A letter of this day from count Pulaſki was read.

Congreſs took into conſideration a report of the 19th from the board of war; whereupon

Reſolved, That count Pulaſki retain his rank of brigadier in the army of the United States, and that he raiſe and have the command of an independent corps to conſiſt of ſixty-eight horſe, and two hundred foot, the horſe to be armed with lances, and the foot equipped in the manner of light infantry: the corps to be raiſed in ſuch way and compoſed of ſuch men as general Waſhington ſhall think expedient and proper; and if it ſhall be thought by general Waſhington, that it will not be injurious to the ſervice, that he have liberty to diſpenſe in this particular inſtance with the reſolve of Congreſs againſt inliſting deſerters.

A letter of the 15th from major general Schuyler at Albany, with a copy of the minutes of a conference held by the commiſſioners of Indian affairs of the northern department with a number of Sachems and Warriors of the Six Nations at Johnſton, the 7th of March, 1778; and a letter of the 16th from Mr. Duane; were read:

Ordered, That the ſame be referred to the board of war.

The committee to whom were referred the petitions of William Bell and James Gallagher, brought in a report, which was read.

The committee to whom were referred the extract of general Waſhington's letter of the 27th of February, and the letter of the 6th of March from William Patterſon, attorney general of New-Jerſey, brought in a report:

Ordered, That the conſideration thereof be poſtponed to Monday next.

Congreſs

Congreſs was reſolved into a committee, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther conſideration the propoſitions reſpecting the army referred to them, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That this afternoon Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions reſpecting the army.

Four o'clock, P. M.

A letter of the 24th from general Waſhington, and one of the 26th from Charles Lewis, colonel of the 14th Virginia regiment, deſiring leave to reſign his commiſſion, were read:

Reſolved, That the reſignation of colonel Charles Lewis be accepted.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported that the committee have had under their farther conſideration the propoſitions reſpecting the army referred to them, and have made ſome farther progreſs therein, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That on Monday Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions reſpecting the army.

Adjourned to nine o'clock on Monday.

MONDAY, *March* 30, 1778.

Congreſs being informed that colonel Wadſworth is arrived in town and waits the orders of Congreſs;

Reſolved, That a committee of four be appointed to confer with him and enquire whether he will undertake the office of commiſſary general of purchaſes;

The members choſen Mr. Gerry, Mr. Clark, Mr. Lee and Mr. Dyer,

At the requeſt of Mr. Dyer and Mr. Clark,

Ordered, That they be excuſed from ſerving as members of the board of treaſury, and that two others be elected in their room;

The members choſen Mr. Wolcott and Mr. Scudder.

Congreſs proceeded to the appointment of an auditor of accounts in the northern diſtrict, in the room of Mr. Henderſon, and a commiſſioner of accounts at the board of treaſury, in the room of Mr. Benezet, and Peter

Peter Boyer, eſquire, was appointed one of the auditors of accounts in the northern diſtrict; and

William Denning, eſquire, was appointed one of the commiſſioners of accounts at the board of treaſury.

A letter of the 4th and one of the 6th from A. Gillon were read:

Ordered, That they be referred to the committee of commerce, and that they report thereon.

Reſolved, That a committee of three be appointed to prepare inſtructions to the commiſſioners appointed by general Waſhington to negociate a cartel for the exchange of priſoners;

The members choſen Mr. Chaſe, Mr. Dana, and Mr. Duer.

A report from the board of war was read, relative to count Pulaſki's corps:

Reſolved, That the ſame be referred to the committee at Camp, and that they be authoriſed to conſult with general Waſhington and brigadier Pulaſki reſpecting the appointment of officers for that corps, and to act thereon as they judge proper and expedient.

A petition from lieutenant James Berwick was read:

Ordered, That his account for ſervices done in capacity of judge advocate of a general court-martial held at Lancaſter, from the 4th of February to the 22d of March, be paid.

Mr. Drayton, a delegate from South-Carolina, attended and produced the credentials of the appointment of delegates from that ſtate, which were read, and by which it appears, that the honourable Henry Laurens, William Henry Drayton, John Matthews, Thomas Heyward, and Richard Hutſon, eſquires, are duly elected to repreſent that ſtate in the Congreſs of the United States.

The committee appointed to prepare inſtructions for the commiſſioners for ſettling a cartel, brought in a report, which was taken into conſideration, and agreed to as follows;

Whereas Congreſs concur in opinion with general Waſhington, that there are ſome ambiguities characteriſing the meaſures taken by general Howe reſpecting general Lee, which juſtify alarming ſurmiſes, notwithſtanding all that has paſſed to the contrary:

Reſolved, That general Waſhington be informed, that it is the intention of Congreſs that it ſhould be a preliminary in the propoſed cartel for a general exchange of priſoners

priſoners, that major general Lee be abſolutely exchanged for major general Preſcot, and if refuſed that no exchange take place till the farther order of Congreſs:

That it be propoſed to exchange lieutenant colonel Ethan Allen for lieutenant colonel Campbell or lieutenant colonel Anſtruther, and if not acceded to, that lieutenant colonel Campbell be ſent back to the ſtate of Maſſachuſetts-Bay:

That general Waſhington be further directed to inſtruct the commiſſioners to be careful not to contravene, in ſettling the propoſed cartel, any of the reſolutions of Congreſs, particularly that of the 30th of December, reſpecting ſuch of the citizens of theſe ſtates as may voluntarily join the enemy and be taken in arms againſt theſe ſtates:

That if the enemy will not conſent to exempt citizens from capture, agreeably to the law of nations, the commiſſioners be inſtructed poſitively to inſiſt on their exchange without any relation to rank:

That general Waſhington be directed not to permit any article of the propoſed cartel to be finally concluded without his expreſs approbation, and that the preſident be directed to inform him accordingly.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for twenty thouſand dollars, advanced upon the application of the ſaid board, for the purpoſe of paying colonel Hartley's regiment three months pay; for an advance to Chriſtopher Ludwig, ſuperintendant of bakers; and for contingent expences of the board; the the ſaid paymaſter to be accountable:

That a warrant iſſue on the treaſurer in favour of Mr. N. Folſom, delegate from the ſtate of New-Hampſhire, for five hundred dollars, advanced upon his application, and to be charged to the ſaid ſtate:

That a warrant iſſue on the treaſurer in favour of W. Palfrey, eſquire, paymaſter general, for five hundred thouſand dollars, for the uſe of his department; he to be accountable, and that it be tranſmitted to him by Joſeph Nourſe, paymaſter to the board of war and ordnance:

That a warrant iſſue on the treaſurer in favour of the preſident and council of the ſtate of Pennſylvania, for thirty thouſand dollars, to be by them put into the hands of

of proper perſons for the purpoſe of purchaſing horſes in the ſaid ſtate, for the uſe of the army of the United States; the ſaid ſtate to be accountable:

That a warrant iſſue on Thomas Smith, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, for fifty thouſand dollars, in favour of the preſident and council of the ſaid ſtate, to be by them put into the hands of proper perſons for the purpoſe of purchaſing horſes in that ſtate, for the uſe of the army of the United States; the ſaid ſtate to be accountable.

The committee to whom the report of the board of war, relative to captain Ebenezer Sullivan, was referred, brought in a report; whereupon

Reſolved, That, in conſideration of the peculiarity of captain Ebenezer Sullivan's caſe, he be allowed his pay and rations during the time he has been in captivity, and his pay while he ſhall continue a priſoner of war, any thing in the reſolution of Congreſs of the 19th of January laſt to the contrary notwithſtanding:

That it be referred to the board of treaſury to adjuſt the accounts of captain Sullivan, and make him ſuch compenſation for his loſſes and extraordinary trouble as they ſhall deem equitable.

Adjourned to nine o'clock to-morrow.

TUESDAY, *March* 31, 1778.

A letter from Mr. Wilkinſon was read, deſiring leave to reſign his office of ſecretary to the board of war:

Reſolved, That his reſignation be accepted, and that his letter be returned as improper to remain on the files of Congreſs.

A petition from H. Zedwitz was read:

Ordered, That it be referred to the board of war.

A letter of the 9th of January from John Peck Rathbun was read; alſo one from colonel B. Tupper:

Ordered, That they be referred to the marine committee.

A letter of the 27th from colonel E. Blaine, deputy commiſſary general of purchaſes, was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 26th of February from D. Cottineau, captain of the ſhip Ferdinand, at Cape Look-Out, North-Carolina, with an invoice of her cargo, was read:

Reſolved, That the committee of commerce be authoriſed, after a conference with the board of war and the marine

marine committee, to purchaſe ſuch articles of the cargo as they ſhall deem expedient for the public ſervice.

Ordered, That the letter be referred to a committee of three;

The members choſen, Mr. Duer, Mr. Chaſe and Mr. F. L. Lee.

The committee of commerce, to whom was referred the letter from Mr. Gillon, brought in a report; whereupon

Reſolved, That as Mr. Gillon hath accepted of an appointment to command the navy of the ſtate of South-Carolina, and Congreſs have impowered their commiſſioner at Paris to appoint agents to tranſact the commercial affairs of theſe ſtates, it is inexpedient to proceed upon his contract.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther conſideration the propoſitions relative to the army, but not having yet come to a concluſion, deſire leave to ſit again:

Reſolved, That Congreſs this afternoon be reſolved into a committee of the whole, to conſider farther the propoſitions relative to the army.

Five o'clock, P. M.

Congreſs was again reſolved into a committee of the whole, to conſider farther the propoſitions relative to the army, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther conſideration the propoſitions to them referred, and having come to a concluſion thereon, he was ready to report:

Ordered, That the conſideration of the report be poſtponed till to-morrow.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *April* 1, 1778.

A letter of the 26th of March from general Green, quartermaſter general, was read:

Ordered, That it be referred to the board of treaſury.

A letter of March the 7th from Moſes Emerſon was read, informing that he accepts the appointment to the office of commiſſioner of accounts in the middle diſtrict.

A letter of March the 21ſt from colonel D. Maſon was read:

Ordered, That it be referred to the board of treaſury.

A letter of March the 11th from major De Bois, at Albany, was read:

Ordered, That it be referred to the board of war.

Congreſs took into conſideration the report of the committee of the whole Congreſs, reſpecting an eſtabliſhment or allowance to officers after the war:

After debate it was agreed, that amendments be moved and made in the report, but that after the amendments are made and the report gone through, the whole report as amended ſhall be open to debate, whether it ſhall be adopted by Congreſs or be ſent to the ſtates and their opinion taken previous to the final determination of Congreſs.

Four o'clock, P. M.

Ordered, That a warrant iſſue on the treaſurer in favour of count Pulaſki, for ten thouſand dollars, for the purpoſe of purchaſing horſes and recruiting his corps.

A letter of March the 29th from general Waſhington was read:

Ordered, That it be referred to the board of war.

Congreſs reſumed the conſideration of the report of the committee of the whole; whereupon

It was moved, that the report be entered on the journal:

To which the previous queſtion was moved, and the yeas and nays being required,

New-Hampſhire,	Mr. Folſom,	*no*	*no*
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Huntington,	*no*	
	Mr. Wolcott,	*no*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Clark,	*no*	*no*
	Mr. Scudder,	*no*	
Pennſylvania,	Mr. James Smith,	*ay*	*ay*
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Forbes,	*ay*	
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*ay*	*

North-Carolina,

North-Carolina,	Mr. Burke,	*ay*	1	*ay*
South-Carolina,	Mr. Laurens, *declined answering*			*no*
	Mr. Drayton,	*no*		
Georgia,	Mr. Langworthy,	*ay*	1	*ay*

So it was resolved, that the main question be put.

The main question being then put, and the yeas and nays required,

New-Hampshire,	Mr. Folsom,	*no*	1	*no*
Massachusetts-Bay,	Mr. Gerry,	*ay*		*no*
	Mr. Lovell,	*no*		
	Mr. Dana,	*no*		
Rhode-Island,	Mr. Ellery,	*no*	1	*no*
Connecticut,	Mr. Dyer,	*no*		*no*
	Mr. Huntington,	*no*		
	Mr. Wolcott,	*no*		
New-York,	Mr. Lewis,	*ay*		*ay*
	Mr. Duer,	*ay*		
New-Jersey,	Mr. Clark,	*no*		*no*
	Mr. Scudder,	*no*		
Pennsylvania,	Mr. James Smith,	*ay*	1	*ay*
Delawar,	Mr. M'Kean,	*ay*	1	*ay*
Maryland,	Mr. Chase,	*ay*		*ay*
	Mr. Forbes,	*ay*		
	Mr. Henry,	*no*		
Virginia,	Mr. F. L. Lee,	*ay*	1	*
North-Carolina,	Mr. Burke,	*ay*	1	*ay*
South-Carolina,	Mr. Laurens, *declined voting*			*no*
	Mr. Drayton,	*no*		
Georgia,	Mr. Langworthy,	*ay*	1	*ay*

So the states were equally divided and the question lost.

Adjourned to nine o'clock to-morrow.

THURSDAY, *April* 2, 1778.

A letter of the 1st from general Armstrong, at Carlisle, was read.

A report from the board of war was read, respecting the employing a conductor to take charge of the waggons to be sent to the southward:

Ordered, That the committee of commerce and the marine committee be directed to confer with the board of war on the subject of the said report, and take such measures on the premises as they shall deem expedient.

Ordered, That three members be added to the committee appointed to confer with colonel Wadsworth;

The members chosen Mr. Drayton, Mr. Scudder and Mr. Banister.

The report from the committee of the whole was called for; whereupon a question was moved, That

That the conſideration of the ſaid report be poſtponed, and the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Dana,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Huntington,	*ay*	
	Mr. Wolcott,	*ay*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Clark,	*ay*	*ay*
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. James Smith,	*ay*	
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Forbes,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*
	Mr. Baniſter,	*ay*	
North-Carolina,	Mr. Burke,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved in the affirmative.

Adjourned to nine o'clock to-morrow.

FRIDAY, *April* 3, 1778.

A paragraph of a letter of March 25th from the navy board at Bordenton, to the marine committee, was laid before Congreſs:

Ordered, That it be referred to the board of war.

A letter of March 21ſt from general Waſhington, incloſing a copy of a letter to him from doctor Ruſh, dated Princeton, February 25th, was read; alſo a letter of March 9th, with a poſtſcript of the 19th from doctor Ruſh to Mr. Roberdeau, was laid before Congreſs:

Ordered, That the ſaid letters be referred to a committee of three:

That the committee be directed to enquire into the charges contained in doctor Ruſh's letters againſt doctor Shippen, and into the conduct of doctor Shippen as director general of the hoſpital, and report ſpecially to Congreſs:

That the committee be authoriſed to ſend for ſuch perſons and papers as they may judge neceſſary, and allow the

the reaſonable and neceſſary expences of the witneſſes attending this buſineſs;

The members choſen Mr. Drayton, Mr. Huntington and Mr. Baniſter.

Reſolved, That Mr. Langworthy be appointed a member of the marine committee.

Four o'clock, P. M.

The committee appointed to confer with Mr. Wadſworth brought in a report, which was read.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the paymaſter of the board of war and ordnance, on the application of that board, for ſeven thouſand dollars, for the uſe of colonel Sheppard's and captain Kingbury's corps; for which the ſaid paymaſter is to be accountable:

That a warrant iſſue on the treaſurer for one thouſand dollars, in favour of Mr. E. Dyer, upon his application; and that the ſame be charged to the ſtate of Connecticut.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due to lieutenant James Berwick, for his ſervices acting as judge advocate at a court-martial held at Lancaſter, from February the 4th to March the 22d, 1778, the ſum of two hundred and thirty-five dollars, and for his expences in York-Town from March the 22d to this day, the ſum of thirty dollars, making together the ſum of two hundred and ſixty-five dollars:

To captain Ebenezer Sullivan, for pay from January the 1ſt, 1777, to the 1ſt inſtant, and forty-two days rations, deducting the ſum of one hundred and twenty dollars, received from major general Heath, a balance of four hundred and ninety-four dollars:

Ordered, That the ſaid accounts be paid.

The committee on the treaſury, to whom the caſe of captain E. Sullivan was referred, report "that they have examined his account of expences for ſupport of a party of troops commanded by major Sherburn, in their march from St. John's to St. Ann's, amounting to eleven dollars, and conſidered his loſs of two hundred and fifty dollars of public money, which by affidavit he declares were taken from him by the enemy, and are of opinion, that the ſaid ſums, together with the farther ſum of ſeven hundred and fifty dollars, making in the whole one

hundred

hundred and eleven dollars, ſhould be paid to him, in full compenſation of his ſervices and ſufferings as a hoſtage for the troops taken by the enemy at the Cedars in May, 1776:"

Ordered, That the ſaid ſum be paid.

The committee on the treaſury brought in a farther report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. Burke, delegate from the ſtate of North-Carolina, for the ſum of fifteen hundred dollars, advanced on his application, and that the ſame be charged to the ſtate of North-Carolina.

Congreſs took into conſideration the report of the committee appointed to confer with Mr. Wadſworth, and after debate

Reſolved, That the farther conſideration thereof be poſtponed till the committee ſent to Camp return.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer for two hundred thouſand dollars, in favour of William Buchanan, eſquire, commiſſary general of purchaſes, for the uſe of the middle diſtrict; the ſaid commiſſary general to be accountable.

A report from the board of war was read; after debate

Ordered, That it be referred to a committee of three;

The members choſen Mr. J. Smith, Mr. Clark and Mr. Henry.

Ordered, That Mr. Dyer have leave of abſence.

A letter of the 21ſt and one of March the 24th, from major general Heath, were read.

Adjourned to nine o'clock to-morrow.

SATURDAY, *April* 4, 1778.

A motion was made, that on Monday next Congreſs be reſolved into a committee of the whole, to conſider the ſituation of the affairs of the United States:

Whereupon it was moved, that the conſideration of this motion be poſtponed; and the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Dana,	*ay*	*
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Huntington,	*ay*	*divided*
	Mr. Wolcott,	*no*	

New-York,

New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Clark,	*ay*	*ay*
Pennſylvania,	Mr. Roberdeau,	*ay*	*divided*
	Mr. James Smith,	*no*	
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Forbes,	*no*	
	Mr. Henry,	*ay*	
North-Carolina,	Mr. Burke,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it was reſolved in the affirmative.

A report from the board of war and ordnance was read; whereupon

Reſolved, That Daniel and Samuel Hughes, of the ſtate of Maryland, ſhall not be held to make any more cannon on their preſent contract:

That it be referred to the commiſſioners of claims to ſettle the accounts of Daniel and Samuel Hughes againſt the United States, agreeably to their contract:

That the board of war and ordnance be directed to report to Congreſs ſuch an allowance per ton as they ſhall deem ſufficient to enſure a reaſonable profit on all the cannon which Daniel and Samuel Hughes have caſt, and which have ſuſtained or ſhall ſuſtain due proof, as well thoſe that have not, as thoſe that have, been delivered according to contract:

That the board of war and ordnance be authoriſed to enter into a contract with meſſieurs Daniel and Samuel Hughes for ſuch a number of battering cannon and mortars, and ſuch quantity of ſhot and ſhells, as they ſhall deem neceſſary for the public ſervice.

A report from the board of war, relative to count Pulaſki's corps, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Duer, Mr. Drayton and Mr. Dana.

Reſolved, That the fifteen men inliſted and lately brought to York-Town by captain Scott, be annexed to colonel Hartley's regiment, and that captain Scott and the ſubalterns of the ſaid company be diſmiſſed.

The committee on the treaſury brought in a report; whereupon

Ordered,

Ordered, That a warrant iſſue on Nathaniel Appleton, eſquire, commiſſioner of the continental loan-office in the ſtate of Maſſachuſetts-Bay, in favour of the marine committee, for forty thouſand dollars; one other warrant in their favour, for thirty thouſand dollars, on John Lawrence, eſquire, commiſſioner of the continental loan-office in the ſtate of Connecticut; and one other warrant for thirty thouſand dollars, in their favour, on Nicholas Gilman, eſquire, commiſſioner of the continental loan-office in the ſtate of New-Hampſhire; for which ſums the ſaid marine committee is to be accountable, the ſame being advanced on their application for the uſe of the navy board in the eaſtern department.

Reſolved, That one million of dollars be emitted under the direction of the treaſury board, and on the faith of the United States:

That the bills ſhall, excepting the numbers, be of the ſame tenor and date as the emiſſion directed on the 5th of March laſt, be numbered from the laſt number of each reſpective denomination of that emiſſion progreſſively, and conſiſt of the following denominations, viz.

15384	bills of	3 dollars	46152
15384	do. of	4 do.	61536
15384	do. of	5 do.	76920
15384	do. of	6 do.	92304
15384	do. of	7 do.	107688
15385	do. of	2 do.	30770
15385	do. of	8 do.	123080
15385	do. of	30 do.	461550
			1000000

That all powers and duties of Michael Hillegas, eſquire, and of the inſpectors of the preſs, ſigners and printers of the emiſſion directed on the 10th of May laſt, ſhall extend to the one million to be emitted, ſubject however to ſuch directions and inſtructions as the board of treaſury may judge expedient.

The committee to whom the report of the board of war was referred, brought in a report, which was taken into conſideration; whereupon

Reſolved, That general Waſhington be impowered, if he ſhall deem it neceſſary, to call upon the ſtates of Maryland, Pennſylvania and New-Jerſey, for five thouſand of

of their militia, in ſuch proportions from the reſpective ſtates as he ſhall think proper; to remain in ſervice for ſuch time as general Waſhington ſhall recommend; the ſaid militia to be armed and accoutred by the reſpective ſtates to which they belong, to whom it is earneſtly recommended to uſe every exertion in complying with the general's requeſt.

Adjourned to nine o'clock on Monday.

MONDAY, *April* 6, 1778.

Whereas colonel Hartley has repreſented, that it will be neceſſary for the public ſervice that he ſhould have liberty to retain one of the ſubalterns in captain Scott's company for ſome few days:

Reſolved, That colonel Hartley have power to retain the ſubaltern ſo long as he ſhall judge it neceſſary for the public ſervice.

Mr. Joſeph Reed, a delegate from Pennſylvania, attended and took his ſeat.

A letter of the 3d from major Clarke, one of the auditors of accounts at the Camp; one of this day from W. Buchanan, eſquire, commiſſary general of purchaſes; and one of March 30th from meſſieurs Reed and Morris, two of the committee at Camp; were read:

Ordered, That they be referred to the board of treaſury.

A letter of the 1ſt from general Waſhington was read.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of colonel John Davis, deputy quartermaſter general, for fifty thouſand dollars, for the uſe of his department, and charged to major general Greene, quartermaſter general:

That a warrant iſſue on the treaſurer in favour of the committee of commerce, for two thouſand five hundred dollars, to enable them to pay a draught of Livinus Clarkſon and Abraham Livingſton, continental agents at Charles Town; the ſaid committee to be accountable:

That a warrant iſſue on the treaſurer in favour of lieutenant James Peale, for the ſum of twenty-ſix thouſand and ſixty-eight dollars, in diſcharge of the following bills, drawn by Thomas Reed, aſſiſtant to the paymaſter general, two of them in favour of Thomas Smith, and by him indorſed to the ſaid J. Peale, dated

April the 3d, 1778, one for four thouſand four hundred and eighty-two dollars, and one for eight thouſand nine hundred and forty, amounting to thirteen thouſand four hundred and twenty-two dollars; two others in favour of the ſaid James Peale, viz. one for three thouſand three hundred and ninety-one, and one for nine thouſand two hundred and fifty five dollars, making twelve thouſand ſix hundred and forty-ſix dollars; the whole amounting to twenty-ſix thouſand and ſixty-eight dollars; for which ſum the paymaſter general is to be accountable:

That a warrant iſſue on the treaſurer in favour of James Meaſe, eſquire, cloathier general, for fifty thouſand dollars:

That another warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, in favour of the cloathier general, for one hundred thouſand dollars:

That another warrant iſſue on Joſeph Clarke, eſquire, commiſſioner of the continental loan-office in the ſtate of Rhode-Iſland, in favour of the cloathier general, for twenty thouſand dollars; and

That another warrant iſſue on Nathaniel Gilman, eſquire, commiſſioner of the continental loan-office in the ſtate of New-Hampſhire, in favour of the cloathier general, for forty thouſand dollars; for which four ſums, amounting in the whole to two hundred and ten thouſand dollars, advanced him for the uſe of his department, he the cloathier general to be accountable.

Reſolved, That Mr. J. Meaſe be directed not to pay any draughts of his agents in Georgia, nor to remit him any money till the farther order of Congreſs.

The committee to whom was referred the report of the board of war, reſpecting brigadier Pulaſki's legion, brought in a report; whereupon

Reſolved, That there be allowed to brigadier Pulaſki, for every man inliſted and muſtered in his legion, and who ſhall be furniſhed by the ſaid brigadier with the following articles of cloathing and accoutrements, one hundred and thirty dollars, including the continental bounty money;

For each trooper and light-infantry man, one ſtock, one cap, a pair of breeches, one comb, two pair of ſtockings, two pair of gaiters, three pair of ſhoes, one pair of buckles, a ſpear and a cartouch box;

For

For each trooper a pair of boots, a ſaddle, halters, curry comb and bruſh, portmantle, picket cord, and pack ſaddle;

The leather for the portmantle and pack ſaddle to be furniſhed out of the public ſtores by order of the board of war:

That, in order to enable brigadier Pulaſki to raiſe and equip his legion with the utmoſt diſpatch, the board of treaſury be authoriſed and directed to advance, on the application of the board of war, a ſum of money not exceeding fifty thouſand dollars, to be by the board of war advanced from time to time to brigadier Pulaſki on account of his legion:

That if any of the ſtates, in which brigadier Pulaſki ſhall recruit for his legion, ſhall give to perſons inliſting in the ſame for three years or during the war, the bounty allowed by the ſtate in addition to the continental bounty, the men ſo furniſhed, not being inhabitants of any other of the United States, ſhall be credited to the quota of the ſtate in which they ſhall be inliſted.

A letter of March the 26th from governor Henry of Virginia; one of March the 20th from Thurmer Hoggard, of Princeſs Ann, Virginia; and one of March the 20th from Maxwell and Loyal; were read;

Ordered, That they be referred to the marine committee, who are directed to report thereon.

Congreſs reſumed the conſideration of the report of the committee of the whole, reſpecting the affairs of Roderique Hortales and Company, and after ſome time ſpent therein,

Reſolved, That the further conſideration thereof be poſtponed till to-morrow.

Adjourned to nine o'clock to-morrow.

TUESDAY, *April* 7, 1778.

A letter of March the 31ſt from the commiſſioners ſent to Fort Pitt, with ſundry papers incloſed; alſo a letter of the ſame date from colonel G. Morgan, with ſundry papers incloſed; were read:

Amongſt the papers incloſed is the following certificate, ſigned by the commiſſioners;

"WE the commiſſioners for the weſtern department, acting under authority of Congreſs, having, in obedience to our inſtructions, notice being firſt given to all the neighbouring

neighbouring counties, proceeded to an enquiry into the conduct of colonel George Morgan, agent for Indian affairs, and continued the ſame by adjournments from the twentieth to the twenty-ſixth inſtant, do, after the cleareſt and moſt ſatisfactory teſtimonies, wholly acquit the ſaid colonel George Morgan of the charges againſt him, of infidelity to his public truſt and diſaffection to the American cauſe; and we teſtify that we are poſſeſt of the knowledge of various facts and circumſtances evincing not only his attachment to that cauſe, but alſo an uncommon degree of diligence in diſcharging the duties of his employment, and of attention to the intereſts of the United States; and therefore are of opinion he ought to be reſtored to the fulleſt confidence of his country.

SAMP. MATTHEWS,
GEO. CLYMER,
SAM. M'DOWELL.

Pittſburg, March 27, 1778."

Ordered, That the letters from the commiſſioners and from colonel G. Morgan, with the papers incloſed, be referred to a committee of three;

The members choſen Mr. F. L. Lee, Mr. J. B. Smith and Mr. Wolcott.

A letter of the 3d and one of the 4th from general Waſhington, alſo a letter of the 4th from E. Boudinot, eſquire, commiſſary general of priſoners, to the board of war, were read:

Ordered, That the two laſt be referred to a committee of three;

The members choſen Mr. Dana, Mr. Chaſe and Mr. Duer.

Congreſs took into conſideration the letter of the 3d from general Waſhington, and thereupon came to the following reſolutions;

Whereas captain Henry Lee of the light dragoons, by the whole tenor of his conduct during the laſt campaign, has proved himſelf a brave and prudent officer, rendered eſſential ſervice to his country, and acquired to himſelf and the corps he commanded diſtinguiſhed honour; and it being the determination of Congreſs to reward merit;

Reſolved, That captain H. Lee be promoted to the rank of major commandant; that he be impowered to augment his preſent corps by inliſtment to two troops of horſe, to act as a ſeparate corps: That

That lieutenant Lindſey, of colonel Bland's regiment, who ſerved in that character in captain Lee's troop during the campaign, be promoted to the rank of captain, and have the command of one of the troops under major Lee:

That cornet Peyton, ſerving in the ſame manner, be promoted to the rank of captain lieutenant, and have the command of the other troop under major Lee:

That the other officers be appointed by general Waſhington, and receive commiſſions from him accordingly.

A report from the board of war, relative to the propriety and neceſſity of exempting from militia duties perſons employed in manufactories and other buſineſs for the public ſervice, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. J. B. Smith, Mr. Burke and Mr. Baniſter.

The committee on the treaſury, to whom was referred the letter from the auditors in the army, brought in a report; whereupon

Reſolved, That the board of treaſury be authoriſed to determine the number of clerks that may be neceſſary from time to time for aſſiſting the auditors of the army.

Congreſs reſumed the report of the committee of the whole, when the following contract or inſtrument was agreed to;

"TO all whom it may concern. Whereas Roderique Hortales and Company, of Paris, have ſhipped, or cauſed to be ſhipped or laden, on board ſundry ſhips or veſſels, conſiderable quantities of cannon, arms, ammunition, cloathing and other ſtores, moſt of which have been ſafely landed in America, and delivered to the agents of the United States, for the uſe and ſervice thereof; and whereas the ſaid Roderique Hortales and Company are willing and deſirous to continue ſupplying theſe ſtates with cannon, mortars, bombs, arms, ammunition, cloathing, and every ſort of ſtores, that may be wanted or required, and alſo with ſpecie, provided ſatisfactory aſſumption be made and aſſurance given for the payment in France of the firſt coſt, charges and freight of the cargoes already ſhipped, as well as thoſe to be hereafter ſhipped, and of ſpecie to be advanced: and whereas ſome cargoes of American produce have already been ſhipped

to

to the addreſs of the ſaid Roderique Hortales and Company, or their aſſigns, for ſale on account of the United States of America, the net proceeds whereof are to be applied in part diſcharge of their claims. Now know ye, That John Baptiſte Lazarus Thereneau de Francey, agent of Peter Auguſtin Caron de Beaumarchais, as repreſentative of the houſe of the ſaid Roderique Hortales and Company, by him eſpecially appointed and impowered to act fully and effectually in all things on his behalf, as appears by a certain letter of attorney or inſtrument of writing, bearing date the tenth day of September, anno one thouſand ſeven hundred and ſeventy-ſeven, copy whereof is hereunto annexed, doth, for and on behalf of the ſaid Roderique Hortales and Company, repreſented by Mr. Beaumarchais as aforeſaid, in virtue of the powers in him veſted, contract, agree and engage to and with

a committee of commerce, properly appointed and authoriſed by the delegates of the United States of America in Congreſs aſſembled, to enter into, execute, ratify and confirm this contract for and on behalf of the ſaid United States, as follows:

First, That the coſts and charges of the ſeveral cargoes already ſhipped by the ſaid Roderique Hortales and Company ſhall be fairly ſtated at the current prices and uſual mercantile charges in France of the dates at which they were ſhipped:

Second, That the freight of the ſaid cargoes ſhall be charged agreeably to the contract made by and between Mr. Beaumarchais and Mr. Silas Deane and Mr. Montieu:

Third, That all orders for cannon, mortars, bombs, arms, ammunition, cloathing or other ſtores, which may hereafter be tranſmitted to meſſieurs Roderique Hortales and Company, or delivered to their agent in America by the ſaid committee, or any other perſons properly authoriſed by Congreſs to tranſmit or deliver ſuch liſts or orders, ſhall be executed and ſhipped with all poſſible diſpatch:

Fourth, That all articles to be hereafter ſhipped for America, in virtue of this contract, ſhall be provided as nearly to the orders as poſſible, at not higher than the current prices, and attended with the moſt moderate charges, not higher than the uſual mercantile charges of the place from whence they are exported:

Fifth,

Fifth, That good ships shall be chartered or bought on the most moderate terms for transporting the stores to America and carrying back such cargoes as the committee shall chuse to ship in them:

Sixth, That agents appointed under the authority of Congress shall have free liberty to inspect the quality and require the prices of all articles to be shipped for the account of the United States, with power to reject such as they judge unfit or too high charged; they shall also be party in the charters and purchases of ships to be employed in this service:

Seventh, That bills on the house of Roderique Hortales and Company aforesaid, for twenty-four millions of livres tournois annually, shall be duly honoured and paid, the bills to be drawn at double usance and at the following periods, viz. in the months of May, July, September, November, January and March, for four millions each two months.

In consideration whereof the said commercial committee of Congress, by virtue of the powers and authorities to them delegated by the Congress, do, for and on behalf of the said United States, covenant, agree and engage with the said Roderique Hortales and Company, by their agent, as follows:

First, That remittances shall be made by exports of American produce and otherways to the said Roderique Hortales and Company, or their agent, for the express purpose of discharging the debt already justly due or hereafter to become justly due in consequence of this agreement:

Second, That all cargoes of merchandize shipped on account of the United States for France, and appropriated towards the discharge of the said debt; shall be addressed to the house of Roderique Hortales and Company, or their assigns, for sale; subject however to the inspection and controul of an agent appointed under the authority of Congress, who shall have liberty to inspect the quality of such merchandize, assent to or reject the prices offered, postpone the sales, and do every thing for the interest of his constituents:

Third, That the customary interest of France, not exceeding six per centum per annum, shall be allowed on the debt already due, or that from time to time may be due,

to

to the ſaid Roderique Hortales and Company, in virtue of this agreement, computing the intereſt on money from the time of its being paid, and on goods by them exported from the uſual periods of commercial credits on ſuch goods:

Fourth, That any payments of continental currency in America required by the ſaid Roderique Hortales and Company, or their agent, and agreed to by Congreſs, ſhall be computed at the current or equitable courſe of exchange at the date of the payment, and intereſt be diſcounted on the amount from that date:

Fifth, That the remittances to be made for the purpoſe of extinguiſhing the debt now due or to become due to the ſaid Roderique Hortales and Company ſhall be made at ſuch times and ſeaſons as ſhall be moſt ſafe and convenient for the American intereſt, but are to continue until the entire debt, principal and intereſt, ſhall be fully and fairly diſcharged:

Sixth, That a commiſſion of two and a half per centum ſhall be allowed to the ſaid Roderique Hortales and Company on the amount of the invoices, freight or other charges and monies paid and diſburſed by them on account of the United States:

Seventh, That the cuſtomary commiſſions in France ſhall be alſo allowed the ſaid Roderique Hortales and Company on the amount of all payment made to them on account of the United States:

Provided always, That the ſeventh article of this agreement, reſpecting the annual ſupply of twenty-four millions of livres, ſhall not be conſidered as abſolutely binding upon either of the parties to this contract, unleſs the ſame ſhall be ratified by Roderique Hortales and Company and the commiſſioners of the United States at Paris; for which purpoſe it is agreed to be ſubmitted to them, any thing herein contained to the contrary notwithſtanding: but it is nevertheleſs to be underſtood, that the United States may and ſhall have liberty to draw, in the courſe of five or ſix months from the date hereof, upon the ſaid Roderique Hortales and Company for the ſum of one hundred thouſand pounds ſterling, equal to two millions three hundred thouſand livres tournois, which ſhall be duly paid.

Reſolved,

Resolved, That the committee of commerce be and they are hereby impowered to execute the foregoing contract or instrument on behalf of the United States of America, and that they make report from time to time of their proceedings therein.

In debating the foregoing contract, a motion was made to strike out "twenty-four," and insert "forty-eight," and the yeas and nays being required,

Massachusetts-Bay,	Mr. Gerry,	*ay*	}	
	Mr. Dana,	*ay*	}	*ay*
	Mr. Lovell,	*no*	}	
Rhode-Island,	Mr. Ellery,	*ay*		*ay*
Connecticut,	Mr. Huntington,	*no*	}	
	Mr. Wolcott,	*no*	}	*no*
New-York,	Mr. Duer,	*ay*		*
New-Jersey,	Mr. Clark,	*no*	}	
	Mr. Scudder,	*no*	}	*no*
Pennsylvania,	Mr. Roberdeau,	*no*	}	
	Mr. Reed,	*no*	}	*no*
	Mr. Smith,	*no*	}	
Maryland,	Mr. Chase,	*no*	}	
	Mr. Forbes,	*no*	}	*no*
	Mr. Henry,	*no*	}	
Virginia,	Mr. F. L. Lee,	*no*		*
North-Carolina,	Mr. Burke,	*no*		*no*
South-Carolina,	Mr. Laurens,	*no*	}	
	Mr. Drayton,	*no*	}	*no*
Georgia,	Mr. Langworthy,	*no*		*no*

So it passed in the negative.

It was then moved to strike out twenty-four, and insert thirty, and the yeas and nays being required,

Massachusetts-Bay,	Mr. Gerry,	*ay*	}	
	Mr. Dana,	*ay*	}	*ay*
	Mr. Lovell,	*no*	}	
Rhode-Island,	Mr. Ellery,	*ay*		*ay*
Connecticut,	Mr. Huntington,	*no*	}	
	Mr. Wolcott,	*no*	}	*no*
New York,	Mr. Duer,	*ay*		*
New-Jersey,	Mr. Clark,	*no*	}	
	Mr. Scudder,	*ay*	}	*divided*
Pennsylvania,	Mr. Roberdeau,	*ay*	}	
	Mr. Reed,	*no*	}	*no*
	Mr. J. B. Smith,	*no*	}	

Maryland,	Mr. Chaſe,	*no*	
	Mr. Forbes,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*no*	*
North-Carolina,	Mr. Burke,	*no*	*no*
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Drayton,	*no*	*no*
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

Copy of the powers given to John Baptiſte Lazarus Theveneau de Francey is as follows;

"BEFORE the Counſellors of the King, the Notaries of the Court-Houſe of Paris, underſigned, was preſent Mr. Pierre Auguſtin Caron de Beaumarchais, repreſenting in France the houſe of Roderique Hortales and Company, living in the city of Paris, in Old Temple Street, and pariſh of St. Gervais, who by theſe preſents did make and conſtitute his procurator general Mr. John Baptiſte Lazarus Theveneau de Francey, juſt about to embark for America, to whom he gives power, for and in the name of the ſaid houſe of Roderique Hortales and Company, to manage and adminiſter all the affairs of the ſaid Houſe and Company, as well actively as paſſively; and in conſequence to ſolicit and recover all debts relative to all the cargoes paſt, preſent and future ſent by the ſaid houſe to America; to receive all monies and make all purchaſes relative to the returns of the ſaid cargoes, and to pay all expences relative to them; to ſettle all accounts with correſpondents of the ſaid houſe of Roderique Hortales and Company, whether upon invoices or otherwiſe; to call if neceſſary for the reciprocal correſpondence, regiſtries and accounts current; to debate the intereſts of ſaid Conſtituent and Company; to allow the articles in the ſaid accounts; to cloſe and ſettle them, and by receipts of every kind to give by the ſaid conſtituted procurator all quittances, diſcharges and valid liquidations, either for ſpecie, merchandize or produce; and to accept all bills and orders drawn by him; in default or refuſal of ſettlement, and after ſettlement made to do, in the name of the ſaid Conſtituent and Company, all conſervatory acts, purſuits and neceſſary works; to appear before all judges who may be concerned; to preſent demands, and purſue them effectually to final judgment; to treat, compoſe and tranſact at the prices, charges, clauſes and conditions which the ſaid conſtituted procurator ſhall judge moſt uſeful to the intereſt of the ſaid Conſtituent and Company, to make all oppoſitions and arreſts that ſhall be neceſſary in caſe of bodily reſtraint; to carry it into execution; to give diſcharge; to conſent to all things; to ſtop proceſſes; to conſtitute procurators and lawyers in any cauſe; to propoſe and agree to arbitrations and arbiters; to chuſe his reſidence; and in general to manage, for the greateſt intereſt of the ſaid Conſtituent and his Houſe, whatever circumſtances ſhall require not provided for in theſe preſents, and without

without having need of more ſpecial power; the aforeſaid Conſtituent promiſing to acknowledge all agreeable until revocation of this power, to which alſo ſhall be ſubmitted all treaties made or to be made with the ſaid conſtituted procurator, whether anterior or poſterior to theſe preſents; and the ſaid conſtituted procurator being obliged, as is juſt, to render account of his miſſion the moſt exactly, faithfully, and legally, that may be. Made and paſſed at Paris, at the Studies, in the year one thouſand ſeven hundred and ſeventy-ſeven, the tenth of September, and a minute of theſe preſents, lodged with Mr. Momet, one of the underſigned notaries, hath been ſigned:

"(L. S.) Sealed the ſame day;

"DE MANFORT,
"MOMET.

"The above inſtrument was executed by a public officer in my preſence.

"S. DEANE."

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *April* 8, 1778.

A letter of the 3d from general Green, quartermaſter general; one of the 7th from Mr. R. Morris at Manheim; one from the war-office in Maſſachuſetts Bay, dated 26th of March; and one of March 27th from R. T. Paine, Oliver Ellſworth, and Henry Marchant, eſquires, commiſſioners appointed to enquire into the cauſes of the failure of the expedition againſt Rhode-Iſland; were read:

Ordered, That the letter from the war-office of Maſſachuſetts-Bay be referred to a committee of three;

The members choſen Mr. Dana, Mr. Burke and Mr. Chaſe.

Ordered, That the letter from meſſieurs Paine, Ellſworth and Marchant, with the examinations by them taken, which accompany the letter, be referred to a committee of five;

The members choſen Mr. Drayton, Mr. Baniſter, Mr. Henry, Mr. Reed and Mr. Duer.

A repreſentation from the legiſlative council and aſſembly of New-Jerſey was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Reed, Mr. Dana and Mr. Scudder.

The committee to whom were referred the proceedings of a convention of committees of the ſtates of New-Hampſhire, &c. to Pennſylvania, incluſive, together with a letter of the 30th of January laſt from Thomas Cuſhing, eſquire,

eſquire, preſident of the convention, and ſundry reſolutions of the 19th of December laſt, from the ſtate of North-Carolina, brought in a report, which was read :

Ordered, That the conſideration thereof be poſtponed to Friday next.

Congreſs reſumed the conſideration of the report of the committee appointed to confer with colonel Wadſworth, and after debate

Reſolved, That the ſame be re-committed, and that Mr. Reed and Mr. Dana be added to the committee who brought in the report, and that the committee be directed to confer farther with Mr. Wadſworth.

Reſolved, That the officers priſoners to the United States, who are ordered to Lancaſter by the commiſſary of priſoners, for the purpoſe of being exchanged, be detained at Lancaſter till the farther order of Congreſs.

Adjourned to nine o'clock to-morrow.

THURSDAY, *April* 9, 1778.

A letter of March 24th from Richard Varick, deputy muſtermaſter general in the northern department, with ſundry papers incloſed, was read :

Ordered, That the letter, with the papers incloſed, be referred to the board of war, who are directed to prepare and report a plan for rectifying and preventing the abuſes mentioned in the ſaid letter.

Reſolved, That Saturday next be aſſigned for taking into conſideration the propriety and neceſſity of Congreſs removing to ſome more ſuitable place, where the members can be accommodated and the public buſineſs tranſacted with more convenience than at York-Town.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due to doctor Jonathan Dayton, for his attendance and medicine for thirty-four priſoners of war, who were under his care by order of brigadier Maxwell, the ſum of two hundred and eleven dollars and 27-90ths.

Ordered, That the ſaid account be paid :

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of James M'Clelland, for the uſe of colonel George Morgan for four thouſand dollars, to anſwer a requiſition from brigadier Hand, for building armed boats on the Ohio ; colonel Morgan to be accountable ; That

That a warrant iſſue on the treaſurer in favour of colonel John Cox, aſſiſtant quartermaſter general, for the ſum of one million two hundred and fifty thouſand dollars, for the uſe of the quartermaſter general's department: that another warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, in favour of the ſaid colonel John Cox, for the ſum of three hundred thouſand dollars, for the uſe of the ſame department; and that both the aforegoing ſums, amounting to one million five hundred and fifty thouſand dollars, be charged to major general Green, quartermaſter general, who is to be accountable:

That a warrant iſſue on the treaſurer in favour of colonel John Cox, for thirty-three thouſand dollars, to enable him to pay for a quantity of dried clams, which he was requeſted to purchaſe by the committee of Congreſs at Camp, and that William Buchanan, eſquire, commiſſary general of purchaſes, be charged with the ſame, and furniſhed with a copy of this order.

The marine committee, to whom was referred the letter from Benjamin Tupper of March 19th laſt, brought in a report; whereupon

Reſolved, That a copy of the ſaid letter be tranſmitted to Iſaac Smith, Ebenezer Stover, and William Philips, eſquires, of Boſton, who are commiſſioners appointed by the marine committee to ſettle and adjuſt the accounts of prizes with the agents appointed by general Waſhington, &c. and to require the ſaid agents to pay the ſeveral proportions juſtly due to the captors, &c.

The ſaid committee, to whom was referred the lette of Thurmer Hoggard, brought in a report; whereupon

Reſolved, That it be referred to meſſieurs Maxwell and Loyal, ſuperintendants, and to David Stodder, maſter builder, of the continental frigates building in Virginia, to conſider and report their opinion to the marine committee whether an allowance, and if any what allowance, ſhould be made to Thurmer Hoggard, for the frame furniſhed by him for one of the ſaid frigates, over and above the price originally ſtipulated, and in like manner to conſider and report their opinion with regard to the frame of the other frigate agreed to be furniſhed by Thomas Talbut, deceaſed, to whom the ſaid Hoggard is executor.

The

The committee appointed to confer with Mr. Wadſworth, and to whom their former report was re-committed, brought in another report; whereupon

The following queſtions were moved;

1. Whether Mr. Wadſworth, for diſcharging the duties of commiſſary general of purchaſes, ſhall be allowed half per cent. on all the monies which ſhall be by him received and expended for the uſe of his department:

2. Whether the deputy commiſſaries to be appointed by Mr. Wadſworth ſhall be allowed half per cent. on all monies by them reſpectively received and paid to the purchaſing commiſſaries under them in their reſpective diſtricts:

3. Whether the purchaſing commiſſaries ſhall be allowed two per cent. for the monies which ſhall be by them reſpectively received and expended in the purchaſe of proviſions for the army, purſuant to the orders of Mr. Wadſworth or his deputies:

And the yeas and nays being taken on theſe queſtions ſeverally.

Maſſachuſetts-Bay,	Mr. Dana,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Huntington,	*ay*	*ay*
	Mr. Wolcott,	*ay*	
New-York,	Mr. Duer,	*ay*	*
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. Reed,	*ay*	*divided*
	Mr. J. B. Smith,	*no*	
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Forbes,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. Baniſter,	*ay*	*
North-Carolina,	Mr. Burke,	*no*	*no*
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So they were reſolved in the affirmative.

Congreſs proceeded to the election of a commiſſary general of purchaſes, and the ballots being taken,

Jeremiah Wadſworth, eſquire, was unanimouſly elected.

Ordered, That the conſideration of the report be poſtponed till to-morrow.

Adjourned to nine o'clock to-morrow.

FRIDAY,

FRIDAY, *April* 10, 1778.

A letter of the 2d from captain James Nicholſon, to the marine committee, was read, informing them of the loſs of the Virginia frigate on the 31ſt of March:

Ordered, That it be referred to the committee of intelligence.

A letter of this day from W. Buchanan, late commiſſary general was read:

Ordered, That it be referred to the board of war.

A letter of the 8th from brigadier Smallwood, with ſundry papers incloſed, relative to the taking into cuſtody Thomas White and Charles Gordon, in purſuance of an act of Congreſs, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Chaſe, Mr. Reed and Mr. Drayton.

Reſolved, That a committee of three be appointed to confer with W. Buchanan, eſquire, reſpecting his continuance in office, until colonel Wadſworth is ready to enter on the buſineſs;

The members choſen Mr. Dana, Mr. Scudder and Mr. Chaſe.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Joſeph Borden, eſquire, commiſſioner of the loan-office in the ſtate of New-Jerſey, in favour of that ſtate, for ſeventy thouſand dollars, advanced for the purpoſe of paying their militia; the ſaid ſtate to be accountable:

That a warrant iſſue on the treaſurer in favour of the delegates of the ſtate of Virginia, for thirty-three thouſand three hundred and thirty-three dollars and 1-3d, to be by them tranſmitted to his excellency Patrick Henry, to reimburſe ten thouſand pounds Virginia currency which he advanced for purchaſing proviſions for the grand army; the ſaid ſtate to be accountable:

That a warrant iſſue on the treaſurer in favour of Moſes Young, aſſiſtant paymaſter to the board of war and ordnance, for fifteen thouſand dollars; ten thouſand of which is for the purpoſe of defraying the expences of building boats on the Suſquehannah, and five thouſand towards paying off colonel Rawlings's old regiment, to be charged to Joſeph Nourſe, paymaſter, who is to account for the ſame.

The

The committee appointed to prepare a letter in anſwer to general Waſhington's letter of the 4th, brought in a draught, which was read.

Four o'clock, P. M.

Congreſs took into conſideration the draught of a letter in anſwer to general Waſhington's letter of the 4th, and ſome progreſs being made therein,

Adjourned to nine o'clock to-morrow.

SATURDAY, *April* 11, 1778.

A letter of the 2d from governor Henry, of Virginia, was read, incloſing inſtructions to Mr. Hawkins, whom he has appointed to purchaſe live ſtock and meat for the army:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Lee, Mr. Drayton, and Mr. Scudder.

Ordered, That Mr. Reed have leave of abſence for a few days to remove his family to a place of ſecurity.

Ordered, That colonel Cox, aſſiſtant quartermaſter general, employ a deputy to attend Congreſs, and procure good ſtables and provender for their horſes, and proper perſons to take care of the ſame; and that he receive from each member his juſt proportion of the expence.

Ordered, That Mr. Roberdeau have leave of abſence.

Four o'clock, P. M.

A letter of the 2d from governor Trumbull, was read.

A letter of the 3d from Joſeph Trumbull, eſquire, late commiſſary general, was read:

Ordered, That it be referred to the board of treaſury.

A letter of March 30th from colonel Thomas Dyer was read, repeating his requeſt to have leave to reſign his commiſſion on account of his indiſpoſition:

Ordered, That his reſignation be accepted.

A bill drawn by Samuel and Robert Purviance was preſented to Congreſs for payment:

Ordered, That it be referred to the committee of commerce.

Reſolved, That three members be added to the committee of commerce:

The members choſen Mr. Drayton, Mr. Duer and Mr. Wolcott.

The

The committee on the treaſury brought in a report; whereupon

Reſolved, That five millions of dollars be emitted in bills of credit on the faith of the United States:

That the number and denomination of the bills be as follows,

41667 of 40 dollars, - - -	1666680
41667 of 30 do. - - -	1250010
41666 of 20 do. - - - -	833320
41666 of 8 do. - - -	333328
41666 of 7 do. - - - -	291662
41667 of 6 do. - - -	250002
41666 of 5 do. - - - -	208330
41667 of 4 do. - - -	166668
	5,000,000

That new cuts be uſed for ſtriking off and printing:

That the form of the bills be as follows,

"No. Dollars.

This bill entitles the bearer to receive Spaniſh milled dollars, or the value thereof in gold or ſilver, according to a reſolution paſſed by Congreſs, at York, April 11th, 1778."

That each denomination or claſs of bills be numbered from number one progreſſively:

That the Thirteen United States be pledged for the redemption of the bills of credit now ordered to be emitted:

That all powers and duties of Michael Hillegas, eſquire, and of the inſpectors of the preſs, ſigners and printers of the laſt emiſſion, ſhall extend to the ſaid five millions now emitted, ſubject however to ſuch directions and inſtructions as the board of treaſury may judge expedient.

The committee on the treaſury brought in a farther report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the marine committee, for ten thouſand dollars, to be tranſmitted to William Smith, eſquire, at Baltimore, for the purchaſe of flour and iron for the uſe of the navy in the eaſtern department.

Ordered, That a warrant iſſue on the treaſurer in favour of the ſame committee, for eight hundred dollars, in part payment of wages due Daniel Sproddard, maſter builder of the frigates in Virginia.

Adjourned to nine o'clock on Monday.

MONDAY, *April* 13, 1778.

A letter of the 28th of March and one of the 3d of April from William Aylett, incloſing a letter of the 1ſt from governor Henry of Virginia, were read;

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Lee, Mr. Drayton and Mr. Scudder.

A letter of the 10th from general Waſhington, incloſing extracts of letters from general Putnam, general M'Dougall and colonel Shreves, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Duer, Mr. Chaſe and Mr. Dana.

The committee to whom was referred the letter from brigadier Smallwood, brought in a report, which was read:

Ordered, That it be re-committed; and that the committee be inſtructed to prepare a letter to the ſtate of Delaware, acquainting them of the grounds on which Congreſs proceeded in their late order to brigadier Smallwood to ſeize Thomas White, Charles Gordon, &c.

Reſolved, That the board of war be directed forthwith to employ proper perſons accurately to examine the river Suſquehannah and its ſeveral fords, from the mouth to Harris's Ferry, and to report their opinion to the board, which of the fords it would be moſt adviſeable to ſecure, and which wholly to obſtruct, and at what places the boats on the river can be beſt ſecured; and the board are directed to give the neceſſary orders and take the moſt effectual meaſures to ſecure the ſeveral paſſes and fords on the river, and to procure a ſurvey of Octorara, Pequea and Coneſtoga creeks.

Reſolved, That to-morrow be aſſigned for electing a ſecretary to the board of war and ordnance.

Reſolved, That the commiſſioners of the United States in France be authoriſed to determine and ſettle with the houſe of Roderique Hortales and Company, the compenſation, if any, which ſhould be allowed them on all merchandize and warlike ſtores, ſhipped by them for the uſe of the United States previous to the 14th day of April, 1778, over and above the commiſſion allowed them in the ſixth article of the propoſed contract between the committee

committee of commerce and John Babtiſte Lazarus Theveneau de Francey.

Congreſs reſumed the conſideration of the draught of a letter in anſwer to a letter of the 4th from general Waſhington, and ſome progreſs being made therein,

Ordered, That the farther conſideration thereof be poſtponed to the afternoon.

Four o'clock, P. M.

Mr. Richard Hutſon, a delegate from South Carolina, attended and took his ſeat.

The delegates of Pennſylvania, to whom were referred the letter from colonel Hartley and repreſentation from the board of war, report a reſolution of the general aſſembly of Pennſylvania, granting, agreeably to the propoſal of Congreſs, permiſſion to colonel Hartley to inliſt men for his battalion within that ſtate, and allowing the men ſo recruited the bounty granted by the ſtate to ſoldiers inliſted for their regiments, the men to be conſidered as a part of the quota of the ſaid ſtate.

The committee appointed to reviſe the rules and orders for the conduct of buſineſs in Congreſs, brought in a report.

Congreſs reſumed the conſideration of the letter in anſwer to general Waſhington's letter of the 4th, and ſundry amendments being made, the letter was approved:

Ordered, That a copy be made out and that the ſame be ſigned by the preſident and tranſmitted to the general.

A motion was made, that it be declared in the letter that Congreſs cannot conſent to any exchange on parole, and have therefore ordered the officers in our hands to wait the ſettlement of a general cartel:

The yeas and nays being required,

Maſſachuſetts Bay,	Mr. Dana,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Huntington,	*no*	*no*
New-York,	Mr. Duer,	*no*	*
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. J. B. Smith,	*no*	*no*
	Mr. James Smith,	*no*	
Maryland,	Mr. Chaſe,	*ay*	*divided*
	Mr. Forbes,	*no*	
North-Carolina,	Mr. Burke,	*no*	*no*

South-

South-Carolina,	Mr. Laurens, *no*	*no*
	Mr. Drayton, *no*	
Georgia,	Mr. Langworthy, *no*	*no*

So it paſſed in the negative.

Reſolved, That the priſoners who are detained at Lancaſter be ſent forward, agreeably to the orders given by the commiſſary general of priſoners.

Adjourned to nine o'clock to-morrow.

TUESDAY, *April* 14, 1778.

A letter of the 9th from the board of war, incloſing ſundry affidavits relative to the flag ſtopped at Lancaſter, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Duer, Mr. Drayton and Mr. J. B. Smith.

The committee to whom were referred ſundry letters from general Howe to general Waſhington, brought in a report:

Ordered, That it be re-committed to the foregoing committee.

A memorial from the general aſſembly of Pennſylvania, relative to forts built in the county of Weſtmoreland and proviſions laid up there, was read:

Ordered, That it be referred to the board of war.

Congreſs reſumed the conſideration of the report of the committee appointed to confer with Mr. Wadſworth; whereupon

Reſolved, That the commiſſary general of purchaſes have full power to appoint and remove every officer in his department:

That the commiſſary general ſhall, from time to time, as the ſervice may require, viſit the armies and poſts of the United States, and be ſubject to the orders of the commander in chief:

That the commiſſary general ſhall not be obliged to reſide at the place where Congreſs ſit, but he ſhall there keep an office, to which all general returns in his department ſhall be made, and which ſhall be under the inſpection and direction of the board of war; every officer neceſſary to that office being daily allowed one ration of proviſions, office rent, fire-wood, candles, paper, wax, wafers and quills, being furniſhed at the expence of the United States:

That

That the commiſſary general, or his clerk at the office of general returns, ſhall receive from the treaſury, by warrant in the uſual manner, all ſums of money neceſſary for the ſervice of his department, and ſhall be entitled to receive one half per cent. on all ſums by him paid to the deputy commiſſaries general for the public ſervice, who, in their reſpective diſtricts ſhall furniſh the neceſſary ſums of money to the purchaſing commiſſaries in ſuch diſtricts: each deputy commiſſary general ſhall be entitled to receive one half per cent. upon all ſums of money by him paid to the purchaſing commiſſaries in his diſtrict; and alſo three rations of proviſion when in Camp: each purchaſing commiſſary ſhall be entitled to receive a commiſſion, not exceeding two per cent. upon all ſums of money by him laid out in the diſcharge of his office: and the commiſſary general and his deputies ſhall be allowed forage for their horſes, when at any poſt where there is forage for the ſervice of the United States, and ſhall have their horſes ſhod at any ſhop belonging to the United States:

That money for the uſe of the commiſſary general's department ſhall be tranſmitted from the commiſſary general's office to the reſpective deputy commiſſaries general, and expreſſes ſent on the neceſſary buſineſs of that department at the expence of the United States:

That it be recommended to the governments of the ſeveral ſtates to exempt from militia duties all perſons, who are, bona fide, engaged in the commiſſary general's department:

That the commiſſary general ſhall appoint an aſſiſtant to reſide at Head-Quarters, under the orders of the commander in chief: the aſſiſtant ſhall be entitled to receive a daily pay of five dollars, an allowance of rations, two for himſelf and one for his ſervant, forage for two horſes, which ſhall be ſhod at the expence of the United States:

That the commiſſary general, the deputy commiſſaries general, and the purchaſing commiſſaries reſpectively, ſhall provide teams and drivers for tranſporting proviſions at the expence of the United States, when teams and drivers for ſuch ſervices cannot in due time be obtained from the quartermaſter general's department:

That the commiſſary general ſhall aſſign to the ſeveral purchaſing commiſſaries, their reſpective diſtricts for the ſphere of their purchaſes, out of which they ſhall not make

make any purchaſe for the United States, nor into which they ſhall give any encouragement for the bringing any commodities from any other purchaſing commiſſary's diſtrict, unleſs thereto expreſſly authoriſed by the commiſſary general or deputy commiſſary general of the diſtrict:

That each purchaſing commiſſary, upon his entrance into office, ſhall take an oath before ſome magiſtrate, "That he will not directly nor indirectly take any meaſure, nor cauſe or countenance any to be taken, to raiſe the price of any articles within the view of the commiſſary general's department; that he will uſe his beſt ſkill and judgment in purchaſing, on the moſt reaſonable terms, on account of the United States, and that he will give to the commiſſary general from time to time, the earlieſt information of ſuch frauds and abuſes in his department as ſhall come to his knowledge:" and the affidavit ſo taken ſhall be returned to the purchaſing commiſſary general, and by him lodged in the war office:

That all perſons in the commiſſary general's department ſhall take bills of parcels for all the articles by them reſpectively purchaſed, receipts for all the monies by them reſpectively paid, and receipts for all articles delivered, to be produced as neceſſary vouchers at their ſeveral ſettlements:

That the purchaſing commiſſaries ſhall make monthly returns to the deputy commiſſaries general of their reſpective diſtricts, of their purchaſes and the prices paid, and ſhall ſettle their accounts once in ſix months:

That the deputy commiſſaries general ſhall, once in every two months, make their returns to the commiſſary general's office of general returns, and ſhall ſettle their accounts at that office whenever required to do ſo by the commiſſary general:

That every three months the commiſſary general ſhall render to Congreſs an account of his receipts and expenditures, and every nine months a ſtate of the general returns of his department, and ſuch account and ſtate ſhall be returned at ſuch other times as Congreſs ſhall require:

That all former regulations of Congreſs, relative to the department of the commiſſary general of purchaſes, which interfere with the foregoing reſolutions be repealed.

The committee to whom the letter from governor Henry, of Virginia, together with a contract made by him with

with Mr. Hawkins for the purchaſe of cattle was referred, brought in a report; whereupon

Reſolved, That Mr. Hawkins proceed to purchaſe beef, cattle and bacon, agreeably to his contract with governor Henry; and that Mr. Aylett, preſent deputy commiſſary general of purchaſes, be deſired to continue to execute the remaining duties of his office, until colonel Wadſworth, commiſſary general, ſhall give further orders with reſpect to that department. That Mr. Wadſworth be directed to tranſmit money to governor Henry, of Virginia, to enable Mr. Hawkins to go on with his purchaſes.

The committee to whom was referred the letter of the 10th from general Waſhington, brought in a report, which was taken into conſideration; after debate

Ordered, That the farther conſideration thereof be poſtponed till to-morrow.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *April* 15, 1778.

A letter of the 13th from Mr. R. Morris, and one of the 8th from John Swanwick, were read;

Ordered, That they be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the committee of commerce, for five thouſand two hundred and thirty-one dollars and 83-90ths, to enable them to pay a bill for that ſum drawn on them by Samuel and Robert Purviance; the ſaid committee to be accountable.

Reſolved, That George Campbell, eſquire, be appointed a manager of the United States lottery.

The committee on the treaſury brought in a report reſpecting the eſtabliſhment of a new board of treaſury, which was read:

Ordered, That the conſideration thereof be poſtponed to Friday next.

The committee appointed to prepare a letter to the ſtate of Delaware, brought in a draught which was read, amended and agreed to:

Ordered, That a copy of the ſaid letter be made out and ſigned by the preſident, and tranſmitted to the preſident of the ſtate of Delaware.

Reſolved,

Reſolved, That Congreſs approve of brigadier Smallwood's conduct, in apprehending Thomas White and Charles Gordon, by virtue of their order of the 26th of March laſt.

Reſolved, That a committee of three be appointed to prepare and report terms to be offered to ſuch foreign officers and ſoldiers in the ſervice of the King of Great-Britain, as ſhall quit that ſervice and chuſe to become citizens of any of the United States of America;

The members choſen Mr. Chaſe, Mr. Dana and Mr. G. Morris.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of Pennſylvania, in favour of the preſident and council of the ſaid ſtate, for the ſum of twenty thouſand dollars, to be by them put into the hands of proper perſons for the purpoſe of purchaſing horſes in the ſaid ſtate, for the uſe of the army of the United States; the ſaid ſtate to be accountable:

That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of Pennſylvania, in favour of Thomas Reed, aſſiſtant paymaſter general, to diſcharge general Waſhington's draught on William Palfrey, paymaſter general, in favour of Clement Biddle, commiſſary general of forage, for ten thouſand ſix hundred and ſixty-ſix dollars and two thirds; dated at Camp, the 21ſt of January laſt:

That a warrant iſſue on the commiſſioner of the loan-office in the ſtate of Pennſylvania, in favour of John Gibſon, auditor general, for the ſum of ſixty-one thouſand ſix hundred and thirty-one dollars and one third, to enable him to diſcharge the reſidue of a warrant drawn on him by the preſident of Congreſs, dated the 14th of September laſt, in favour of the ſupreme executive council of the ſtate of Pennſylvania, for the ſum of two hundred thouſand dollars.

Four o'clock, P. M.

Mr. Carrol, a delegate from Maryland, attended and took his ſeat in Congreſs.

Congreſs reſumed the conſideration of the report of the committee on general Waſhington's letter of the 10th; whereupon

Reſolved,

Resolved, That general Gates be directed forthwith to repair to Fishkill, on Hudson's river, and take the command of all troops which now are or shall be collected and stationed at the posts on that river, and in the whole northern department; and immediately take effectual measures to secure the communication with the eastern states, by maintaining the possession of Hudson's river; and for that purpose, that he be impowered to provide such a number of gallies, gun boats, fire rafts, chains, cassoons, and chevaux de frize, and erect such fortifications as he may judge necessary, taking care that the fortifications be not too extensive, and also to carry on operations against the enemy if any favourable occasions should offer:

That to enable him to carry into execution the purpose afore-mentioned, general Gates be authorised to call for militia and artificers from the states of New-York, Connecticut, Massachusetts-Bay and New-Hampshire; and in case the enemy shall evacuate Rhode-Island, from that state also; and it is hereby earnestly recommended to the said states, to afford every assistance in their power, as well in sending forth their militia in such numbers and for such time as general Gates shall think proper, as in furnishing artificers, materials and other necessaries for fortifying and obstructing the said river:

That general Gates be directed from time to time to afford every assistance in his power in forwarding the draughts and other reinforcements destined for the main army:

Resolved, That a committee of three be appointed to prepare a draught of instructions to major general Gates;

The members chosen Mr. G. Morris, Mr. Dana and Mr. Duer.

A memorial from monsieur Mondret, was read;

Ordered, That it be referred to the marine committee.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of William Buchanan, esquire, late commissary general of purchases, for two hundred thousand dollars, for the use of the commissary's department in the middle district; for which he is to be accountable:

That a warrant issue on the treasurer in favour of James Forbes, esquire, delegate from Maryland, for seven hun-

dred dollars, advanced upon his application, and to be charged to the ſaid ſtate.

A letter of the 9th from governor Livingſton, of New-Jerſey, with a copy of a petition from the officers, civil and military, of the county of Cumberland, was read:

Ordered, That it be referred to the committee on the repreſentation from the general aſſembly of New-Jerſey, and that Mr. G. Morris be added to the ſaid committee.

Adjourned to nine o'clock to-morrow.

THURSDAY, *April* 16, 1778.

Reſolved, That a commiſſion of captain be granted to Mr. Capitaine, in the corps of engineers, in the ſervice of the United States of America, and that he rank from the firſt of December, 1776.

The committee of commerce report, that they have executed the contract with Mr. Francey, agent to Mr. Beaumarchais, repreſentative of the houſe of Roderique Hortales and Company, agreeably to the order of Congreſs, and that the ſame is ſigned by William Ellery, James Forbes, William Henry Drayton, and William Duer, members of the committee of commerce:

Ordered, That the duplicate of the agreement entered into between the committee of commerce and Mr. Francey be lodged with the ſaid committee.

Reſolved, That Mr. William Bingham, agent of the United States of America, now reſident in Martinique, be authoriſed to draw bills of exchange at double uſance on the commiſſioners of the United States at Paris, for any ſums not exceeding in the whole one hundred thouſand livres tournois, to enable him to diſcharge debts by him contracted on account of the ſaid ſtates; for which draughts he is to be accountable.

Reſolved, That nothing contained in the ſyſtem for the commiſſary general's department, ſhall be conſtrued to make the commiſſary general liable for the miſapplication of money for the uſe of his department, by any inferior officer in that department, provided that he ſhall take bonds from the deputy commiſſaries general and aſſiſtant commiſſary general, reſpectively appointed by him, with not leſs than two good and ſufficient ſecurities; in the ſum of twenty thouſand dollars, to be by him lodged in the treaſury office; and the ſaid deputy commiſſaries ſhall be exonerated of all ſums of money by them

them respectively paid to the purchasing commissaries, provided they shall take bonds from the said purchasing commissaries respectively, with not less than two good and sufficient securities, in the sum of ten thousand dollars, which bonds they shall lodge in the said treasury office.

The yeas and nays being required,

Massachusetts-Bay,	Mr. Dana,	*no*	*
	Mr. Gerry,	*no*	
Rhode-Island,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Huntington,	*ay*	*ay*
	Mr. Wolcott,	*ay*	
New-York,	Mr. Duer,	*ay*	*divided*
	Mr. G. Morris,	*no*	
New-Jersey,	Mr. Scudder,	*no*	*no*
Pennsylvania,	Mr. J. B. Smith,	*no*	*divided*
	Mr. James Smith,	*ay*	
Maryland,	Mr. Chase,	*ay*	*no*
	Mr. Carroll,	*no*	
	Mr. Forbes,	*no*	
	Mr. Henry,	*no*	
North-Carolina,	Mr. Burke,	*no*	*divided*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutson,	*no*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was resolved in the affirmative.

Congress resumed the consideration of the report of the committee of the whole, respecting an allowance to officers after the war; whereupon

The letters of March 24th and April 10th, from general Washington, so far as they respect this matter were called for and read, and a motion was made, that such parts of the said letters as relate to the making an establishment for officers in the army, be entered on the journals; upon which the previous question was moved, whether that question be now put; and the yeas and nays being required,

Massachusetts-Bay,	Mr. Dana,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
Rhode-Island,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Huntington,	*no*	*no*
	Mr. Wolcott,	*no*	

New-York

New-York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. J. B. Smith,	*no*	*no*
	Mr. James Smith,	*no*	
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Carroll,	*ay*	
	Mr. Henry,	*ay*	
North-Carolina,	Mr. Burke,	*no*	*divided*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it paſſed in the negative.

Mr. Thomas Adams, a delegate from Virginia, attended and took his ſeat in Congreſs.

An amendment was moved in lieu of the whole report as follows:

" Congreſs, however deſirous of giving every reaſonable encouragement to officers of the army who bravely hazard their lives in defence of their country, and however anxious to make an honorable proviſion for them after the cloſe of the war, being apprehenſive of the conſequence of a military eſtabliſhment, eſpecially without knowing the ſenſe of their conſtituents on a ſubject of ſuch high importance:

Reſolved, That the propoſed plan for a military eſtabliſhment be poſtponed, and that a letter be addreſſed to the ſeveral ſtates, and that they be requeſted to take into their moſt ſerious conſideration and give their opinion on the following queſtions:

1. Whether ſome proviſion ought not to be made for the officers of the continental army after the concluſion of the war:

2. Whether that proviſion ſhould be for life or for a term of years:

3. Whether any proviſion ſhould be made for the widows of ſuch as have fallen, or ſhall fall in battle or die in captivity or in the ſervice:

4. Whether ſome farther compenſation or reward ought not to be granted to the privates who continue in the continental army till the cloſe of the war:"

A previous

A previous queſtion being moved, whether that queſtion be now put, and the yeas and nays required, a member declined to anſwer, alledging he was warranted ſo to do by the practice of the houſe;

Whereupon the reſolution of the 26th of Auguſt laſt was called and read, and thereupon

Reſolved, That when a member is called upon to anſwer *ay* or *no*, he may not of right withhold his voice.

The yeas and nays being then taken on the previous queſtion,

Maſſachuſetts-Bay,	Mr. Dana,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Huntington,	*ay*	*ay*
	Mr. Wolcott,	*ay*	
New-York,	Mr. Duer,	*no*	*no*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Scudder,	*ay*	*ay*
Pennſylvania,	Mr. J. B. Smith,	*ay*	*divided*
	Mr. James Smith,	*no*	
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Carroll,	*no*	
	Mr. Forbes,	*no*	
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*no*	*no*
	Mr. Baniſter,	*no*	
	Mr. T. Adams,	*no*	
North-Carolina,	Mr. Burke,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*no*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

Adjourned to nine o'clock to-morrow.

FRIDAY, *April* 17, 1778.

Reſolved, That Mr. T. Adams be added to the committee of commerce.

A report from the board of war was read; whereupon

Reſolved, That brigadier Starks be employed in the northern department, under the command of general Gates.

The

The committee on the treaſury brought in a report; whereupon

Ordered, That five hundred dollars be paid to John Brown, for the uſe of Robert Morris, eſquire, to diſcharge four bills of one hundred and twenty-five dollars each, drawn by John Aſhe, treaſurer of North-Carolina, dated the 10th of May laſt, in favour of James Payneville; the ſtate to be charged therewith:

That one thouſand one hundred and ſixty-ſix dollars and 60-90ths be advanced to Cornelius Harnett, eſquire, a delegate from North-Carolina, upon his application, and charged to the ſaid ſtate:

That thirty thouſand dollars be advanced to doctor Potts; and that a warrant iſſue in his favour on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, for the farther ſum of ſeventy thouſand dollars, for the uſe of the hoſpital in the middle diſtrict; for which ſums the ſaid doctor Potts is to be accountable:

That one million five hundred thouſand dollars be advanced to Jeremiah Wadſworth, eſquire, commiſſary general of purchaſes, for the uſe of his department; he to be accountable.

Reſolved, That the preſident and ſupreme executive council of the commonwealth of Pennſylvania be requeſted to order the commiſſioners by them appointed to make purchaſes of wheat and flour, to deſiſt in making any further purchaſes of thoſe articles, and to make returns forthwith to Mr. Wadſworth, commiſſary general of purchaſes, and to the board of war of the purchaſes they have made.

The committee to whom was referred the repreſentation of the council and aſſembly of New-Jerſey, brought in a report; whereupon

Reſolved, That ſo much of the repreſentation as relates to the ſupporting that ſtate with a body of continental troops be ſubmitted to general Waſhington, commander in chief:

That the ſtate of New-Jerſey be requeſted to compleat only three regiments of infantry in the manner recommended by the reſolutions of the 26th of February laſt, and that the committee of Congreſs lately at Camp do arrange the officers of the ſaid ſtate accordingly.

A letter from the board of war was read; whereupon

Reſolved,

Resolved, That the board of war be impowered to order and appoint general courts-martial as often as occasion requires, for trying officers and others under arrest, agreeably to the rules and articles of war, in the place where Congress may sit, and that the said courts report their proceedings to the commander in chief.

Congress resumed the consideration of the report of the committee of the whole, and the first paragraph being read, a motion was made

"That an establishment of half-pay be made for the military officers commissioned by Congress who now are or hereafter may be in the service of these states, and shall continue therein during the war, and who shall not be annexed to any corps of established troops, or hold any office of profit under the United States or any of them; and that such establishment take place after the conclusion of the present war:"

Whereupon the agreement entered into the 1st instant was called for and read, and thereupon a question was moved and put, Whether that motion is in order consistent with the said agreement and the subsequent decision of Congress, that the report of the committee of the whole should not be entered on the journal?

And the yeas and nays being required,

Massachusetts-Bay,	Mr. Dana,	*no*	*
	Mr. Lovell,	*no*	
Rhode-Island,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Huntington,	*no*	*no*
	Mr. Wolcott,	*no*	
New-York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jersey,	Mr. Scudder,	*no*	*no*
Pennsylvania,	Mr. J. B. Smith,	*no*	*divided*
	Mr. James Smith,	*ay*	
Maryland,	Mr. Chase,	*ay*	*ay*
	Mr. Carroll,	*ay*	
	Mr. Forbes,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. Banister,	*ay*	
	Mr. T. Adams,	*ay*	
North-Carolina,	Mr. Burke,	*ay*	*ay*
	Mr. Harnett,	*ay*	

South-Carolina,

South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Hutſon,	*no*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved in the affirmative.

The motion was then received and read by the preſident, and after debate

Reſolved, That the farther conſideration thereof be poſtponed till to-morrow.

Ordered, That Mr. Forbes have leave of abſence.

Ordered, That Mr. Burke have leave of abſence.

Adjourned to nine o'clock to-morrow.

SATURDAY, *April* 18, 1778.

Mr. Plater, a delegate from Maryland, attended and took his ſeat in Congreſs.

Whereas Joſeph Trumbull, eſquire, who was elected a member of the board of war, is, on account of his ill ſtate of health, unable to attend his duty at that board, and therefore deſirous to reſign:

Reſolved, That his reſignation be accepted.

A memorial from Joſeph Carſon was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Baniſter, Mr. Carroll and Mr. Huntington.

The marine committee brought in a report; whereupon Congreſs came to the following reſolutions;

Whereas it is expedient that a ſpeedy enquiry be made into the cauſes of the loſs of the Virginia frigate, and a competent number of officers belonging to the navy cannot at preſent be obtained for that purpoſe:

Reſolved, That the navy board in the middle diſtrict, with William Smith, eſquire, of Baltimore, and Stephen Steward, eſquire, of Weſt river, in the ſtate of Maryland, or any three of them, be and they are hereby appointed and fully authoriſed to make a ſtrict enquiry and examination into the cauſes of the loſs of the ſaid frigate, and the conduct of James Nicholſon, late commander of the ſaid frigate; and that to that end they repair to Baltimore as ſpeedily as poſſible, and call before them the ſaid James Nicholſon, and examine all perſons, evidences and papers neceſſary, and make report of ſuch their enquiry, together with the evidences, to the marine committee, to be laid before Congreſs.

The

The committee to whoſe deciſion, in conjunction with general Waſhington, the appointment of the officers of brigadier count Pulaſki's corps was referred, brought in a report; whereupon

Reſolved, That Michael de Kowatz be appointed colonel commandant;

Count Julius de Mountfort, major;

John de Zielinſke, captain of Lanceers.

Reſolved, That general Waſhington be authoriſed and directed forthwith to convene a council, to conſiſt of the major generals in the ſtate of Pennſylvania, and the general officer commanding the corps of engineers, and with the advice of the ſaid council to form ſuch a plan for the general operations of the campaign as he ſhall deem conſiſtent with the welfare of theſe ſtates:

That major generals Gates and Mifflin, members of the board of war, have leave to attend the ſaid council.

The committee on the treaſury brought in a report; whereupon

Reſolved, That five hundred thouſand dollars be emitted under the direction of the treaſury board and on the faith of the United States:

That the bills ſhall, excepting the numbers, be of the ſame tenor and date as the emiſſion directed on the 4th inſtant, be numbered from the laſt number of each reſpective denomination of that emiſſion progreſſively, and conſiſt of the following denominations;

7692 of 30 dollars, - - -	230760
7693 of 8 do. - - -	61544
7693 of 7 do. - - - -	53851
7692 of 6 do. - - -	46152
7693 of 5 do. - - - -	38465
7692 of 4 do. - - -	30768
7692 of 3 do. - - - -	23076
7692 of 2 do. - - -	15384
	500000

That all powers and duties of Michael Hillegas, eſquire, and of the inſpectors of the preſs, ſigners and printers of the emiſſion directed on the 10th of May laſt, ſhall extend to the ſaid five hundred thouſand dollars now to be emitted, ſubject to ſuch directions and inſtructions as the board of treaſury may judge expedient.

Ordered, That two hundred thouſand dollars be advanced to William Buchanan, eſquire, late commiſſary general

neral of purchaſes, to be by him tranſmitted to his deputy Mr. Colt in the eaſtern diſtrict; Mr. Buchanan to be accountable:

That fifty thouſand dollars be advanced to James Meaſe, eſquire, cloathier general, for the uſe of his department; he to be accountable.

A memorial from monſieur Fidel Dorré was read:

Ordered, That it be referred to the committee of commerce.

Reſolved, That a committee of three be appointed to confer with Mr. James Meaſe, cloathier general, on the ſubject of his department;

The members choſen Mr. J. Adams, Mr. Morris and Mr. Drayton.

Reſolved, That the board of war be directed to make a ſtrict enquiry into the mode in which the armourer's department has been hitherto conducted, and report to Congreſs the reſult of their enquiry; and if they judge neceſſary, to diſmiſs the perſons who have been hitherto employed in that buſineſs, and to engage others in their ſtead on the beſt terms poſſible.

Reſolved, That Mr. Hutſon be added to the committee of commerce.

Reſolved, That Mr. G. Morris be added to the medical committee.

A petition from captain Knox was read:

Ordered, That it be referred to the board of treaſury.

Whereas a brigadier of cavalry is neceſſarily put to a much greater expence in equipping himſelf for ſervice and other ways than any other officer of that rank in the army; therefore

Reſolved, That the pay of the brigadier general of cavalry be in the ſame proportion to that of a brigadier of infantry, as the pay of a colonel of the cavalry is to that of a colonel of infantry, viz. one hundred and fifty-ſix dollars and one fourth per month.

Adjourned to nine o'clock on Monday.

MONDAY, *April* 20, 1778.

A letter of the 15th from major Lee, and one of the 17th from E. Boudinot, eſquire, commiſſary general of priſoners, were read, the laſt informing Congreſs of his reſolution to decline continuing any longer in the ſervice:

Ordered, That Thurſday next be aſſigned for electing a commiſſary general of priſoners.

A

A letter of the 7th from governor Clinton, with a proclamation incloſed, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Huntington, Mr. J. B. Smith and Mr. Lee.

A letter of the 18th from general Waſhington, with the report of the commiſſioners by him appointed for ſettling a cartel, &c. was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. G. Morris, Mr. Drayton and Mr. Dana.

A letter of the 18th from Jonathan Sergeant, eſquire, and one of the 26th of March from governor Caſwell, of North-Carolina, were read.

A letter of the 9th from baron Steuben, one of the 4th from governor Cooke, of Rhode-Iſland, and one of the 6th from brigadier Muhlenberg, were read:

Ordered, That they be referred to the board of treaſury.

A letter of the 17th from brigadier Smallwood, with two letters incloſed, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Duer, Mr. Chaſe and Mr. Carrol.

The committee appointed to prepare inſtructions to general Gates brought in a draught, which was taken into conſideration, and ſundry amendments being made, was agreed to:

Ordered, That the ſame be tranſcribed and ſigned by the preſident and tranſmitted to general Gates, and that a copy be ſent to general Waſhington.

Adjourned to nine o'clock to-morrow.

TUESDAY, *April* 21, 1778.

The committee to whom was referred the letter of the 18th from general Waſhington, with the ſeveral papers incloſed, brought in a report, which was taken into conſideration, and the ſame being debated by paragraphs and amended, and each paragraph, on a queſtion put, being agreed to,

A motion was made that a queſtion be put on the whole:

Whereupon a queſtion of order was moved, Whether a queſtion can in ſuch caſe be put?

And

And the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Dana,	*no*	*
	Mr. Lovell,	*no*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Huntington,	*no*	*no*
	Mr. Wolcott,	*no*	
New-York,	Mr. Duer,	*no*	*no*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. J. B. Smith,	*ay*	*ay*
	Mr. James Smith,	*ay*	
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Carrol,	*no*	
	Mr. Plater,	*no*	
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*no*	*no*
	Mr. Baniſter,	*no*	
	Mr. T. Adams,	*no*	
North-Carolina,	Mr. Burke,	*ay*	*divided*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

The report as amended and agreed to is as follows:

Reſolved, That Congreſs approve of the conduct of colonel Grayſon, lieutenant colonel Harriſon, and lieutenant colonel Hamilton, and Elias Boudinot, eſquires, "commiſſioners appointed by general Waſhington to meet the commiſſioners appointed by general ſir William Howe, and with them to confer, determine and agree upon a treaty and convention for the exchange of priſoners of war, and for all matters whatſoever which may be properly contained therein," in the ſeveral meetings held at Germantown and Newton with the commiſſioners of general Howe.

Reſolved, That Congreſs are ſincerely deſirous of ſettling a cartel for the exchange of priſoners, on principles of juſtice, humanity and mutual advantage, and agreeable to the cuſtomary rules and practice of war among civilized nations; and that they lament the obſtacles raiſed by general Howe and his commiſſioners during the negociations held for this deſirable purpoſe.

Ordered

Ordered, That the letters and papers received from the general, relating to the ſaid cartel, be publiſhed, together with theſe reſolutions.

Ordered, That the committee have leave to ſit again.

Congreſs having received repeated information, that various abuſes prevail in the department of the commiſſary of hides; for ſecuring the hides and tallow belonging to the public,

Reſolved, That the board of war be directed to make ſuch regulations for conducting that department as they ſhall deem beſt calculated to anſwer the end of its inſtitution; that they be authoriſed to diſmiſs, if they ſhall judge neceſſary, the perſons who have been hitherto employed to conduct the ſame, and to appoint others in their ſtead, till the pleaſure of Congreſs can be known, reporting to Congreſs the names of the principal perſons by them appointed to conduct that buſineſs.

Reſolved, That the members of the board of war, or any one of them be authoriſed, in conjunction with any two or more of the preſent commiſſioners, to manage the buſineſs of that department, till an additional number of commiſſioners ſhall be appointed by Congreſs to the board of war, and ſhall be ready to attend that buſineſs.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the loan-office in the ſtate of Pennſylvania, for twenty thouſand dollars, in favour of William Henry, eſquire, of Lancaſter, for the purpoſe of paying for leather, &c. purchaſed by him, and for repairing arms for public ſervice; he to be accountable.

Reſolved, That Congreſs will on Monday next take into conſideration the ſtate of our affairs with foreign courts, and the inſtructions to the commiſſioners of Congreſs at ſuch courts.

Four o'clock, P. M.

Ordered, That the quartermaſter in York-Town provide a room for the clerk of the United States lottery, to ſerve him for an office to tranſact his buſineſs in with conveniency and ſecurity.

The committee on the treaſury brought in a report; whereupon

Ordered,

Ordered, That ſeven thouſand nine hundred and thirty-nine dollars be paid to Samuel Ewing, eſquire, in diſcharge of an order of Thomas Reed, aſſiſtant paymaſter general, in his favour, dated the 18th inſtant; William Palfrey, eſquire, paymaſter general, to be accountable.

Congreſs reſumed the conſideration of the report of the committee of the whole; whereupon the motion made on Friday laſt was read and an amendment moved:

A motion was then made to take the ſenſe of the houſe, Whether it is in order that the reſolution of Friday, which was entered on the minutes and then determined to be in order, ſhould now be ſubject to any further amendment?

And the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	
	Mr. Lovell,	*no*	*no*
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Huntington,	*no*	*no*
	Mr. Wolcott,	*no*	
New-York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. J. B. Smith,	*ay*	*ay*
	Mr. James Smith,	*ay*	
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Carroll,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. Baniſter,	*ay*	
	Mr T. Adams,	*ay*	
North-Carolina,	Mr. Burke,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved in the affirmative.

On the queſtion put to ſtrike out "an eſtabliſhment," and inſert "it is expedient a proviſion;"

Reſolved in the affirmative.

It was then moved, that the ſenſe of the houſe be taken, Whether "any proviſion ſhall be made for the officers, &c. after the concluſion of the preſent war?"

On

On which the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*no*	
	Mr. Dana,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Huntington,	*no*	*no*
	Mr. Wolcott,	*no*	
New-York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. J. B. Smith,	*ay*	*ay*
	Mr. James Smith,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Carroll,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	
North-Carolina,	Mr. Burke,	*ay*	*ay*
	Mr. Harnett,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Hutſon,	*no*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved in the affirmative.

Adjourned to five o'clock, P. M. to-morrow.

WEDNESDAY, *April* 22, 1778. *P. M.*

Mr. Matthews, a delegate from South-Carolina, attended and took his ſeat in Congreſs.

The committee to whom was referred the letter of the 18th from general Waſhington, containing a certain printed paper ſent from Philadelphia, purporting to be the draught of a bill for declaring the intention of the parliament of Great-Britain as to the exerciſe of what they are pleaſed to term their right of impoſing taxes within theſe United States; and alſo the draught of a bill to enable the king of Great-Britain to appoint commiſſioners with powers to treat, conſult and agree upon the means of quieting certain diſorders within the ſaid ſtates, brought in a report; wherein they beg leave to obſerve,

"That

"That the ſaid paper being induſtriouſly circulated by the emiſſaries of the enemy in a partial and ſecret manner, the ſame ought to be forthwith printed for the public information.

The committee cannot aſcertain whether the contents of the ſaid paper have been framed in Philadelphia or in Great-Britain, much leſs whether the ſame are really and truly intended to be brought into the parliament of that kingdom, or whether the ſaid parliament will confer thereon the uſual ſolemnities of their laws; but are inclined to believe this will happen for the following reaſons;

1. Becauſe their general hath made divers feeble efforts to ſet on foot ſome kind of treaty, during the laſt winter; though, either from a miſtaken idea of his own dignity and importance, the want of information, or ſome other cauſe, he hath not made application to thoſe who are inveſted with a proper authority.

2. Becauſe they ſuppoſe that the falacious idea of a ceſſation of hoſtilities will render theſe ſtates remiſs in their preparations for war.

3. Becauſe, believing the Americans wearied with war, they ſuppoſe we will accede to their terms for the ſake of peace.

4. Becauſe they ſuppoſe that our negociations may be ſubject to a like corrupt influence with their debates.

5. Becauſe they expect from this ſtep the ſame effects they did from what one of their miniſters thought proper to call his conciliatory motion, viz. "That it will prevent foreign powers from giving aid to theſe ſtates; that it will lead their own ſubjects to continue a little longer the preſent war; and that it will detach ſome weak men in America from the cauſe of freedom and virtue."

6. Becauſe the king, from his own ſhewing, hath reaſon to apprehend, that his fleets and armies, inſtead of being employed againſt the territories of theſe ſtates, will be neceſſary for the defence of his own dominions; and

7. Becauſe the impracticability of ſubjugating this country being every day more and more manifeſt, it is their intereſt to extricate themſelves from the war upon any terms.

The

The committee beg leave farther to obſerve,

That, upon a ſuppoſition the matters contained in the ſaid paper will really go into the Britiſh ſtatute book, they ſerve to ſhew, in a clear point of view, the weakneſs and wickedneſs of the enemy. Their weakneſs,

1. Becauſe they formerly declared not only that they had a right to bind the inhabitants of theſe ſtates in all caſes whatſoever, but alſo that the ſaid inhabitants ſhould abſolutely and unconditionally ſubmit to the exerciſe of that right: and this ſubmiſſion they have endeavoured to exact by the ſword. Receding from their claim, therefore, under the preſent circumſtances, ſhews their inability to enforce it.

2. Becauſe their prince hath heretofore rejected the humbleſt petition of the repreſentatives of America, praying to be conſidered as ſubjects, and protected in the enjoyment of peace, liberty and ſafety; and hath waged a moſt cruel war againſt them, and employed the ſavages to butcher innocent women and children. But now the ſame prince pretends to treat with thoſe very repreſentatives, and grant to the arms of America what he refuſed to her prayers.

3. Becauſe they have uniformly laboured to conquer this continent, rejecting every idea of accommodation propoſed to them, from a confidence in their own ſtrength: wherefore it is evident, from the change in their mode of attack, that they have loſt this confidence. And

4. Becauſe the conſtant language ſpoken, not only by their miniſters but by the moſt public and authentic acts of the nation, hath been that it is incompatible with their dignity to treat with the Americans, while they have arms in their hands; notwithſtanding which an offer is now about to be made for treaty.

The wickedneſs and inſincerity of the enemy appear from the following conſiderations:

1. Either the bills now to be paſſed contain a direct, or indirect ceſſion of a part of their former claims, or they do not. If they do, then it is acknowledged that they have ſacrificed many brave men in an unjuſt quarrel. If they do not, then they are calculated to deceive America into terms, to which neither argument before the war, nor force ſince, could procure aſſent.

2. The firſt of theſe bills appears, from the title, to be a declaration of the intentions of the Britiſh Parliament, concerning the exerciſe of the rights of impoſing taxes within theſe ſtates: wherefore ſhould theſe ſtates treat under the ſaid bill, they would indirectly acknowledge that right to obtain which acknowledgment the preſent war hath been avowedly undertaken and proſecuted on the part of Great-Britain.

3. Should ſuch pretended right be ſo acquieſced in, then of conſequence the ſame might be exercifed whenever the Britiſh parliament ſhould find themſelves in a different temper and diſpoſition, ſince it muſt depend upon thoſe and ſuch like contingencies how far men will act according to their former intentions.

4. The ſaid bill, in the body thereof, containeth no new matter; but is preciſely the ſame with the motion before mentioned, and liable to all the objections which lay againſt the ſaid motion, excepting the following particular, viz. that by the motion, actual taxation was to be ſuſpended ſo long as America ſhould give as much as the ſaid parliament might think proper; whereas by the propoſed bill, it is to be ſuſpended as long as future parliaments continue of the ſame mind with the preſent.

5. From the ſecond bill it appears, that the Britiſh king may, if he pleaſes, appoint commiſſioners to treat and agree with thoſe whom they pleaſe about a variety of things therein mentioned: but ſuch treaties and agreements are to be of no validity without the concurrence of the ſaid parliament, except ſo far as they relate to the ſuſpenſion of hoſtilities and of certain of their acts, the granting of pardons and the appointing of governors to theſe ſovereign, free and independent ſtates: wherefore the ſaid parliament have reſerved to themſelves, in expreſs words, the power of the ſetting aſide any ſuch treaty, and taking the advantage of any circumſtances which may ariſe, to ſubject this continent to their uſurpations.

6. The ſaid bill, by holding forth a tender of pardon, implies a criminality in our juſtifiable reſiſtance; and conſequently to treat under it would be an implied acknowledgment, that the inhabitants of theſe ſtates were, what Britain hath declared them to be, Rebels.

7. The inhabitants of theſe ſtates being claimed by them as ſubjects, they may infer from the nature of the negociation now pretended to be ſet on foot, that the

ſaid

ſaid inhabitants would of right be afterwards bound by ſuch laws as they ſhould make; wherefore any agreement entered into on ſuch negociation, might at any future time be repealed. And

8. Becauſe the ſaid bill purports that the commiſſioners therein mentioned may treat with private individuals; a meaſure highly derogatory to the dignity of national character.

From all which it appears evident to your committee that the ſaid bills are intended to operate upon the hopes and fears of the good people of theſe ſtates, ſo as to create diviſions among them and a defection from the common cauſe, now, by the bleſſing of Divine Providence, drawing near to a favourable iſſue: that they are the ſequel of that inſidious plan, which, from the days of the ſtamp act down to the preſent time, hath involved this country in contention and bloodſhed; and that as in other caſes, ſo in this, although circumſtances may force them at times to recede from their unjuſtifiable claims, there can be no doubt, but they will, as heretofore, upon the firſt favourable occaſion, again diſplay that luſt of domination which hath rent in twain the mighty empire of Britain.

Upon the whole matter the committee beg leave to report it as their opinion, that as the Americans, united in this arduous conteſt upon principles of common intereſt, for the defence of common rights and privileges; which union hath been cemented by common calamities and by mutual good offices and affection; ſo the great cauſe, for which they contend, and in which all mankind are intereſted, muſt derive its ſucceſs from the continuance of that union; wherefore any men or body of men, who ſhould preſume to make any ſeparate or partial convention or agreement with commiſſioners under the crown of Great Britain, or any of them, ought to be conſidered and treated as open and avowed enemies of theſe United States.

And further the committee beg leave to report it as their opinion, that theſe United States cannot with propriety hold any conference or treaty with any commiſſioners on the part of Great-Britain, unleſs they ſhall, as a preliminary thereto, either withdraw their fleets and armies, or elſe in poſitive and expreſs terms acknowledge the independence of the ſaid ſtates.

And

And, in as much as it appears to be the design of the enemies of these states to lull them into a fatal security to the end that they may act with a becoming weight and importance, it is the opinion of your committee that the several states be called upon to use the most strenuous exertions to have their respective quotas of continental troops in the field as soon as possible, and that all the militia of the said states may be held in readiness to act as occasion may require."

The report being read and debated by paragraphs,

Resolved unanimously, That Congress approve and confirm the said report.

Ordered, That the same be published.

Adjourned to nine o'clock to-morrow.

THURSDAY, *April* 23, 1778.

A letter of March 31st from John Carter at Williamsburg; one of the 3d instant from B. Harrison, deputy paymaster general in Virginia, with his monthly account; one of the 6th from major general Conway at Albany; and one of the 20th from general Washington; were read:

Ordered, That the letter from Mr. Harrison, with the account inclosed, be referred to the board of treasury.

Ordered, That the marine committee take into consideration the state of the river defence of Delaware, and the measures which they judge best and proper for defending that river above Philadelphia.

A letter of the 21st from the board of war was read, wherein they inform, that in pursuance of the resolution of the 18th, they have enquired into the armourer's department under Thomas Butler, and are convinced that no advantage will arise to the states from a continuance of the persons now engaged in that business; for which reason they have dismissed Mr. Butler, the former public armourer, and appointed William Henry, esquire, of Lancaster, superintendant of arms and military accoutrements:

Resolved, That Congress approve the proceedings of the board of war, and confirm their appointment.

Ordered, That Thomas Butler, late armourer, immediately render his accounts and settle with the auditors of accounts at the board of treasury.

The

The committee on the treaſury brought in a report; whereupon

Ordered, That ten thouſand dollars be advanced to Joſeph Nourſe, paymaſter to the board of war and ordnance, to enable colonel Davis, of Carliſle, to pay off a number of waggons hired ſome time ago, by the direction of that board, to bring cloathing from North-Carolina to Virginia; the ſaid paymaſter to be accountable:

That one thouſand and twelve dollars be paid to colonel Timothy Pickering, in diſcharge of the draught of William Palfrey, paymaſter general, dated the 29th of January laſt, on the treaſurer, in favour of the ſaid colonel T. Pickering; the paymaſter general to be accountable.

Whereas perſuaſion and influence, the example of the deluded and wicked, the fear of danger, or the calamities of war, may have induced ſome of the ſubjects of theſe ſtates to join, aid or abet the Britiſh forces in America, and though now deſirous of returning to their duty, and anxiouſly wiſhing to be received and reunited to their country, they may be deterred by the fear of puniſhment; and whereas the people of theſe ſtates are ever more ready to reclaim than to abandon, to mitigate than to encreaſe the horrors of war; to pardon than to puniſh offenders:

Reſolved, That it be recommended to the legiſlatures of the ſeveral ſtates to paſs laws, or to the executive authority of each ſtate, if inveſted with ſufficient power, to iſſue proclamations, offering pardon, with ſuch exceptions and under ſuch limitations and reſtrictions as the ſeveral ſtates ſhall think expedient, to ſuch of their inhabitants or ſubjects, who have levied war againſt any of theſe ſtates or who have adhered to, aided or abetted the enemy, and who ſhall ſurrender themſelves to any civil or military officer of any of theſe ſtates, and ſhall return to the ſtate to which they may belong, before the 10th day of June next: and it is recommended to the good and faithful citizens of theſe ſtates to receive ſuch returning penitents with compaſſion and mercy, and to forgive and bury in oblivion their paſt failings and tranſgreſſions.

Ordered, That five hundred copies in Engliſh and two hundred in German be printed, and that general Waſhington be deſired to take ſuch meaſures as he ſhall deem

moſt

moſt effectual for circulating the foregoing recommendation amongſt the American levies in the enemy's army.

A motion was made to re-conſider the order of yeſterday for publiſhing the report of the committee, ſo far as relates to the immediate publication of the laſt paragraph but one in the ſaid report; and the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Dana,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Huntington,	*ay*	*ay*
	Mr. Wolcott,	*ay*	
New-York,	Mr. Duer,	*no*	*no*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Scudder,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Plater,	*no*	
	Mr. Carroll,	*no*	
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*ay*	*no*
	Mr. Baniſter,	*no*	
	Mr. T. Adams,	*no*	
North-Carolina,	Mr. Burke,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Hutſon,	*no*	
	Mr. Matthews,	*no*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

The committee to whom was referred the letter of the 17th from brigadier Smallwood, with the papers incloſed, brought in a report; whereupon

Reſolved, That the governor and council of the ſtate of Maryland be requeſted immediately to embody three hundred militia of the eaſtern ſhore of that ſtate, under active and ſpirited officers, and to order them to march with two field pieces and a proper number of artilleriſts into the Delaware ſtate, there to execute ſuch orders as they may receive from a committee of Congreſs ſpecially appointed for this purpoſe:

That three members be appointed a committee to give proper inſtructions to the officer commanding on this expedition:

That

That the ſaid committee be further authoriſed to deviſe and carry into execution the moſt effectual meaſures for enquiring into, detecting and defeating all diſaffections, conſpiracies and inſurrections on that neck of land comprehended betwixt the Delaware and Cheſapeak-Bay, and that they apply to the governments of Maryland and Virginia, and to the ſtate of Delaware, if the committee ſhall think neceſſary, for the purpoſes above-mentioned; and it is earneſtly recommended to the ſaid governments to give every aſſiſtance in their power to the ſaid committee:

That a copy of brigadier Smallwood's letter of April 17th be tranſmitted to the governor and council of Maryland, and that they be requeſted to take immediate and adequate meaſures for the ſecurity of the ſtores at Charles-Town.

Reſolved, That the powers veſted in general Waſhington by the reſolutions of the 17th of September, 8th of October and 10th of December, 1777, be renewed and extended to the 10th day of Auguſt, 1778.

Reſolved, That brigadier Smallwood be informed, that the powers veſted in general Waſhington by the reſolutions of Congreſs of the 17th of September, 8th of October and 10th of December, expired on the 10th of April inſtant; but that Congreſs have thought proper, by a reſolution of this date to renew and extend them to the 10th of Auguſt next.

Congreſs proceeded to the election of a committee for the purpoſes expreſſed in the foregoing reſolutions, and the ballots being taken,

Mr. Carroll, Mr. Duer, and Mr. Baniſter were elected.

Ordered, That Mr. Harnett have leave of abſence.

Adjourned to nine o'clock to-morrow.

FRIDAY, *April* 24, 1778.

A letter of the 20th from general Green, quartermaſter general, was read.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Joſeph Borden, eſquire, commiſſioner of the continental loan-office in the ſtate of New-Jerſey, for fifty thouſand dollars, in favour of major general Green, quartermaſter general, for the uſe of his department; he to be accountable:

That

That thirty thouſand dollars be paid to the delegates of Maryland, to be by them tranſmitted to the governor and council of that ſtate, for the purpoſe of recruiting their quota of continental troops; the ſaid ſtate to be accountable.

Reſolved, That the board of war be directed to take the moſt expeditious meaſures for tranſporting the public proviſions and ſtores from the ſouthern ſtates acroſs Cheſapeak Bay or otherwiſe:

That it be recommended to the governments of the ſtate of Maryland and of Virginia to permit the armed gallies belonging to their reſpective ſtates to be employed for the purpoſe above mentioned at the continental expence; and that the whole of the veſſels ſo employed be put under the command of a continental officer, in order to prevent any ill conſequences which may ariſe from a diſputed command betwixt the ſtate officers:

That it be recommended to the government of the ſtate of Pennſylvania, to furniſh the board of war with as many ſailors now employed in the ſervice of their ſtate as they can ſpare for the purpoſe of manning the Maryland and Virginia gallies, to be employed in Cheſapeak Bay:

That the marine committee, and the committee of commerce, be directed to co-operate with the board of war in manning the gallies above mentioned.

Adjourned to nine o'clock to-morrow.

SATURDAY, *April* 25, 1778.

Mr. Sherman, a delegate from Connecticut, attended and took his ſeat in Congreſs.

A letter of the 23d from general Waſhington, with ſundry papers incloſed, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Drayton, Mr. G. Morris and Mr. Dana.

A letter of the 6th and one of the 9th from general Heath, incloſing a copy of the parole given by lieutenant general Burgoyne, and a copy of an agreement between lieutenant general Burgoyne and major general Heath, reſpecting the payment for proviſions, fuel, &c.

Ordered, That the letters from major general Heath, with the copy of the agreement, be referred to the board of

treasury, and the copy of the parole to the board of war.

A letter of the 2d from the council of Massachusetts-Bay, and one of the 19th from brigadier Wind, were read:

Ordered, That the letter from the council of Massachusetts-Bay be referred to the board of war.

The committee on the treasury brought in a report; whereupon

Ordered, That one thousand dollars be paid to major William West, in discharge of a draught of William Palfrey, esquire, paymaster general, in his favour, on the president of Congress, dated at Camp, the 24th of March last, and for which the said William Palfrey is to be accountable.

A certificate of brigadier Smallwood, in favour of the reverend Mr. Joseph Montgomery, was laid before Congress:

Ordered, That it be referred to the board of treasury.

The committee appointed to prepare and report terms to be offered to such foreign officers and soldiers in the service of the king of Great-Britain as shall quit that service and chuse to become citizens of any of the United States of America, brought in a report, which was read.

Congress resumed the consideration of the report of the committee of the whole, respecting an allowance to officers after the war:

On motion that the consideration thereof be postponed;

Question put, and the yeas and nays being required,

Massachusetts-Bay,	Mr. Gerry,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Dana,	*no*	
Rhode-Island,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Huntington,	*ay*	
	Mr. Wolcott,	*ay*	
New-York,	Mr. Duer,	*no*	*no*
	Mr. G. Morris,	*no*	
New-Jersey,	Mr. Scudder,	*ay*	*ay*
Pennsylvania,	Mr. Clingan,	*excused*	*no*
	Mr. J. B. Smith,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*

Maryland,	Mr. Chaſe,	*no*	
	Mr. Carroll,	*no*	
	Mr. Plater,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*no*	
	Mr. Baniſter,	*no*	*no*
	Mr. T. Adams,	*no*	
North-Carolina,	Mr. Burke,	*no*	*no*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*no*	*no*
	Mr. Hutſon,	*no*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

A motion was made that the proviſion to be made for the officers, &c. be one half of their preſent pay.

Four o'clock, P. M.

Congreſs reſumed the conſideration of the queſtion under debate in the morning, to which an amendment was moved to ſtrike out "preſent," and after the word "pay" add "on the firſt eſtabliſhment made in the year 1775:"

Queſtion put,

Paſſed in the negative.

Another amendment was moved, to ſtrike out "one half of their preſent pay," and inſert "a ſum of money appropriated to the officers according to their rank, and payable to them or their repreſentatives after the concluſion of the war:"

After debate the determination of this queſtion, at the requeſt of a ſtate, was poſtponed to another day.

Adjourned to three o'clock, P. M. to-morrow.

SUNDAY, *April* 26, 1778.

Queſtion being put on the amendment moved yeſterday, which was put off at the requeſt of a ſtate; and the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*no*	
	Mr. Lovell,	*ay*	*no*
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,			

Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Huntington,	*ay*	
	Mr. Wolcott,	*ay*	
New-York,	Mr. Duer,	*no*	*no*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Scudder,	*ay*	*ay*
Pennſylvania,	Mr. J. B. Smith,	*no*	*divided*
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Plater,	*no*	
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*no*	*no*
	Mr. Baniſter,	*no*	
	Mr. T. Adams,	*no*	
North-Carolina,	Mr. Burke,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*no*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

The main queſtion was then put, and the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*no*	
	Mr. Dana,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Huntington,	*no*	
	Mr. Wolcott,	*no*	
New-York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. J. B. Smith,	*ay*	*divided*
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Carroll,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	

North-

North-Carolina,	Mr. Burke,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*ay*	
	Mr. Hutſon,	*no*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved, That the proviſion to be made for officers, &c. be one half of their preſent pay.

A motion was then made, "That ſuch proviſion of half-pay continue for the life of the officers:"

To which an amendment was moved, to ſtrike out "for the life of the officers," and inſert "for years:"

Queſtion put, the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Dana,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Huntington,	*ay*	
	Mr. Wolcott,	*ay*	
New-York,	Mr. Duer,	*ay*	*divided*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Scudder,	*ay*	*ay*
Pennſylvania,	Mr. J. B. Smith,	*no*	*divided*
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Plater,	*no*	
	Mr. Carroll,	*no*	
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*ay*	*no*
	Mr. Baniſter,	*no*	
	Mr. T. Adams,	*no*	
North-Carolina,	Mr. Burke,	*no*	*no*
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*no*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So the amendment was loſt, the ſtates being equally divided.

The main queſtion was then put, the yeas and nays being required,

Maſſachuſetts-

Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Huntington,	*no*	
	Mr. Wolcott,	*no*	
New York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. J. B. Smith,	*ay*	*divided*
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Carroll,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	
North-Carolina,	Mr. Burke,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*ay*	
	Mr. Hutſon,	*no*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved in the affirmative.

A letter of the 25th from general Waſhington was read.

Congreſs reſumed the conſideration of the report from the committee of the whole; to which ſundry amendments were moved; after debate

Ordered, That the farther conſideration thereof be poſtponed till to-morrow.

Adjourned to nine o'clock to-morrow.

MONDAY, *April* 27, 1778.

A letter of the 24th from major Lee was read:

Ordered, That it be referred to the board of war.

A letter of the 20th from colonel G. Baylor was read:

Ordered, That it be referred to the board of treaſury.

Reſolved, That general Waſhington be authoriſed to call, if he thinks proper, the commander of the artillery to the council ordered to be convened for ſettling ſuch a plan for the general operations of the enſuing campaign

paign as general Washington shall deem consistent with the general welfare of these states.

The board of treasury, to whom was referred the certificate of brigadier Smallwood, in favour of the reverend Mr. J. Montgomery, brought in a report; whereupon

Resolved, That the reverend Mr. J. Montgomery be allowed the pay of a brigade chaplain for the time of his service in that capacity, agreeably to brigadier Smallwood's certificate, viz. from June last.

Resolved, That the reverend Mr. J. Montgomery be appointed chaplain to brigadier Smallwood's brigade.

The committee on the treasury brought in a report; whereupon

Ordered, That two hundred and fifty thousand dollars be paid to Joseph Nourse, paymaster to the board of war and ordnance, to be by him transmitted to Ebenezer Hancock, esquire, deputy paymaster general, for the use of his department; he to be accountable.

Resolved, That the board of war and ordnance transmit to general Heath proper directions with respect to the rout, by which he is to send to the treasurer the hard money belonging to the United States.

Congress resumed the consideration of the report of the committee of the whole, respecting a provision for the officers after the war; whereupon it was moved and

Resolved, That nothing contained in the foregoing resolution shall be construed to extend to prevent the United States from redeeming, at any time, the half-pay of such officers as they judge proper, by paying them a sum equal to six years half-pay.

Sundry amendments being made in the report;

Ordered, That the farther consideration thereof be postponed.

Adjourned to nine o'clock to-morrow.

TUESDAY, *April* 28, 1778.

Resolved, That major general Gates be impowered to appoint two such persons from the line as he may think proper, to act as additional aids de camp.

A letter of the 25d from major general M'Dougall a Fishkill, with sundry papers inclosed, was read:

Ordered, That extracts of the said letter be sent to th treasury, and that the letter, with the papers inclosed be referred to the board of war.

A letter

A letter of the 22d from major general Conway was read, requesting leave to resign his commission:

Whereupon it was moved, that his resignation be accepted;

Question put and the yeas and nays required,

Massachusetts-Bay,	Mr. Gerry,	*no*	
	Mr. Lovell,	*ay*	*ay*
	Mr. Dana,	*ay*	
Rhode-Island,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	
	Mr. Huntington,	*ay*	*ay*
	Mr. Wolcott,	*ay*	
New-York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jersey,	Mr. Scudder,	*ay*	*ay*
Pennsylvania,	Mr. J. B. Smith,	*ay*	*ay*
	Mr. Clingan,	*ay*	
Maryland,	Mr. Chase,	*no*	
	Mr. Plater,	*ay*	*ay*
	Mr. Carroll,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. F. Lee,	*no*	
	Mr. Banister,	*no*	*no*
	Mr. T. Adams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Drayton,	*ay*	*ay*
	Mr. Matthews,	*ay*	
	Mr. Hutson,	*ay*	

A letter of the 28th from Mr. Burke was read, informing that the instrument authenticating his last election as a delegate from North-Carolina is dated May the 4th, 1777: "That both his colleagues have informed him that they believed the election was made on the 28th of April preceding;" that "the constitution of the state requires the election of delegates to be annual, &c. expressing his belief "that his power of representing that state is at an end;" intimating that "the instrument referred to is on the journals of Congress, and they can determine whether his attendance can be longer commanded;" and requesting "their opinion thereon;" that his absenting himself may not be deemed a contempt or breach of order:"

Whereupon a motion was made,

That Mr. Burke be directed to attend his duty in Congress:

Question

Queſtion put, paſſed in the negative.

A motion was then made, That Mr. Burke be informed, that Congreſs conſider him as a delegate from the ſtate of North-Carolina till the aſſembly of his ſtate ſhall direct otherwiſe:

The previous queſtion was moved, Whether that queſtion ſhall now be put; and the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Huntington,	*ay*	
	Mr. Wolcott,	*no*	
New-York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. J. B. Smith,	*no*	*no*
	Mr. Clingan,	*no*	
Maryland,	Mr. Chaſe,	*no*	*divided*
	Mr. Plater,	*no*	
	Mr. Carroll,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	
	Mr. Matthews,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it paſſed in the negative.

A motion was made to reſolve,

That Mr. Burke is not a member of this houſe;

To which the previous queſtion was moved, Whether that queſtion be now put; the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Huntington,	*no*	
	Mr. Wolcott,	*no*	New-

New-York,	Mr. Duer,	*no*	*divided*
	Mr. G. Morris,	*ay*	
New-Jersey,	Mr. Scudder,	*no*	*no*
Pennsylvania,	Mr. J. B. Smith,	*no*	*no*
	Mr. Clingan,	*no*	
Maryland,	Mr. Chase,	*no*	*divided*
	Mr. Plater,	*no*	
	Mr. Carroll,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. Banister,	*ay*	
	Mr. T. Adams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*divided*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*ay*	
	Mr. Hutson,	*no*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it passed in the negative.

Resolved, That fifty thousand dollars be advanced to major Lee, on account, for the purpose of purchasing horses, and towards recruiting and equipping his corps.

The committee on the treasury brought in a report; whereupon

Resolved, That the pay of a secretary of a major general, acting in a separate department, be encreased to fifty dollars a month.

Ordered, That one hundred thousand dollars be paid to the delegates of Maryland, to be by them transmitted to the governor and council of their state, on whose application, by order of the general assembly, this sum is advanced; the said state to be accountable.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *April* 29, 1778.

A letter of the 16th from major general Schuyler, with sundry papers inclosed, relative to Indian affairs, was read:

Ordered, That it be referred to the committee on Indian affairs.

Resolved, That three members be added to that committee;

The members chosen Mr. Drayton, Mr. T. Adams and Mr. J. B. Smith.

Another letter of the 16th from major general Schuyler was read:

Resolved, That a committee of three be appointed to examine the evidence collected, and state charges against the general officers who were in the northern department when Ticonderoga and Mount Independence were evacuated ;

The members chosen Mr. Sherman, Mr. Drayton and Mr. Dana.

Ordered, That the letter lie on the table.

A letter of the 27th from general Washington, with an extract of a letter from major general Heath, and sundry other papers inclosed, was read ;

Ordered, That the extract of the letter from major general Heath be referred to the board of treasury :

That the letter from general Washington, with the other papers inclosed, be referred to the committee of intelligence.

A letter of the 28th from the board of war was read :

Ordered, That it be referred to the board of treasury.

Two letters of the 24th from governor Rodney were read :

Ordered, That they be referred to the committee appointed for the purposes expressed in sundry resolutions passed the 20th instant.

A letter of the 17th from major de Bois was read :

Ordered, That it be referred to the board of war.

Congress proceeded to the election of members for the marine committee, in the room of such as are absent ; and the ballots being taken,

Mr. Scudder was elected for New-Jersey,

Mr. Plater for Maryland,

Mr. T. Adams for Virginia,

The commissioners of accounts at the treasury board, with the approbation of the auditor general, report,

That there is due to major James Armstrong Wilson, for his independent company, stationed at Carlisle, for the purpose of guarding public stores, two months pay, commencing the 1st of February, and ending the 31st of March last, both days included, eight hundred and forty-three dollars and 10-90ths ; and to twelve men belonging to different regiments in general Wayne's division, doing duty with major Wilson's company, their pay, commencing and ending the same time, one hundred and fifty dollars and 40-90ths :

That

That there is alſo due to captain Samuel Poſtlethwaite's company, likewiſe ſtationed at Carliſle, for the ſame purpoſe, their pay from their firſt eſtabliſhment to the 31ſt of March, inclusive, amounting to one thouſand four hundred and ſixty-eight dollars and 48-90ths:

That there is alſo due to captain Poſtlethwaite, for taking up four deſerters belonging to different regiments, the account of which will be ſent to the paymaſter general, the ſum of fifty-two dollars; the whole amounting to two thouſand five hundred and fourteen dollars and 44-90ths, from which is to be deducted one thouſand dollars, part of two thouſand and twenty dollars, which were formerly advanced to major Wilſon, the balance to be paid to major Wilſon, by a warrant on the treaſurer, one thouſand five hundred and fourteen dollars and 44-90ths:

Ordered, That the ſaid ſum be paid.

The committee on the treaſury brought in a report; whereupon

Ordered, That ſixty-five thouſand dollars be paid to lieutenant Morrow, to be by him conveyed to colonel Baylor in Virginia, for the purpoſe of purchaſing horſes, arms and accoutrements for the cavalry:

That a warrant iſſue on William Armiſtead, eſquire, commiſſioner of the loan-office in the ſtate of Virginia, in favour of colonel Baylor, for the ſum of thirty-five thouſand dollars, to anſwer the ſame purpoſe; for both which ſums, amounting to one hundred thouſand dollars, the ſaid colonel Baylor is to be accountable.

Reſolved, That for the ſpace of ten days, commencing to-morrow, Congreſs meet preciſely at ten, and adjourn at one, and on the ſame day meet preciſely at three and adjourn at ſix o'clock P. M. and that Congreſs be not on any account whatever kept over the times fixt for adjournment, if any one ſtate ſhall inſiſt upon adjourning.

Adjourned to ten o'clock to-morrow.

THURSDAY, *April* 30, 1778.

Reſolved, That Mr. John Meaſe and Mr. Joſeph Bullock be appointed managers of the United States lottery.

Reſolved, That the ſalary of the ſecretary of the board of war and ordnance be twelve hundred dollars per annum.

A letter of the 28th from Mr. Matthew Clarkſon at Camp was read:

Ordered,

Ordered, That it be referred to the board of treaſury.

Reſolved, That no commiſſioned officer in the army of the United States, who ſhall be honored with a brevet commiſſion, ſhall be entitled, by virtue of ſuch brevet commiſſion, to any higher rank in the regiment, troop or company to which he belongs, than he before held therein; ſuch brevet commiſſion giving rank only upon detachments from the line and in general courts-martial; nor ſhall ſuch brevet officer be entitled to receive any additional pay in conſequence of ſuch brevet promotion.

Reſolved, That major Ebenezer Stevens, in conſideration of his ſervices and the ſtrict attention with which he diſcharged his duty as commanding officer of artillery in the northern department, during two campaigns, take rank by brevet as a lieutenant colonel of foot, and that he be commiſſioned accordingly.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr Joſeph Nourſe, paymaſter to the board of war and ordnance, for one hundred thouſand dollars, to be by him forwarded to Ebenezer Hancock, eſquire, deputy paymaſter general in the eaſtern diſtrict, for the uſe of his department; for which he is to be accountable:

That another warrant iſſue on the treaſurer in favour of the ſaid Mr. Joſeph Nourſe, for one hundred thouſand dollars, to be by him tranſmitted to colonel Benjamin Flower, commiſſary general of military ſtores, for the uſe of his department; for which he is to be accountable:

That another warrant iſſue on the treaſurer in favour of the ſaid Mr. Joſeph Nourſe, for two hundred and fifty thouſand dollars, to be by him tranſmitted to Peekſkill, and delivered to Jonathan Trumbull, junior, eſquire, paymaſter, or in his abſence to his deputy there; the ſaid J. Trumbull to be accountable:

That a warrant iſſue on Derk Ten Broek, eſquire, commiſſioner of the continental loan-office in the ſtate of New-York, in favour of the ſaid Jonathan Trumbull, junior, eſquire, for one hundred thouſand dollars, for the uſe of his department, and for which he is to be accountable.

Congreſs proceeded to take into conſideration the ſtate of America with reſpect to foreign nations, when ſundry letters and papers were called for and laid on the table,

and

and the reading thereof begun and continued to one o'clock.

Three o'clock, P. M.

The letters and papers called for being read, a motion was thereupon made.

Adjourned to ten o'clock to-morrow.

FRIDAY, *May* 1, 1778.

A letter of April 29th from colonel B. Flower to the board of war and ordnance, was laid before Congress and read; whereupon

Resolved, That it be recommended to the several states to impower the executive authority of such states from time to time to grant exemptions from duty in the militia to such persons as may be employed in manufacturing military stores and other articles for the use of the United States.

A memorial from messieurs F. Hopkinson and J. Wharton was read:

Ordered, That it be referred to the marine committee.

A letter of April 30th from Mr. J. Nourse was read:

Ordered, That it be referred to the board of treasury.

A petition from sundry soldiers of the late captain Stevenson's company, of Berkely county, Virginia, was read:

Ordered, That it be referred to the board of war.

A memorial from William Burke, late captain of the armed schooner Warren, was read; whereupon

Resolved, That a commission of captain in the continental navy be granted to William Burke; and that he rank from the date of this commission.

Resolved, That captain William Burke receive pay from the time he was appointed to the command of the armed schooner Warren to this day, according to the rate of pay settled when he was so appointed.

Congress resumed the consideration of the motion made yesterday, and after debate

Ordered, That the farther consideration thereof be postponed.

Three o'clock, P. M.

Mr. R. H. Lee, a delegate from Virginia, attended and took his seat in Congress.

The commissioners of claims, with the approbation of the auditor general, report, That

That there is due to captain Martin Pfifer, commanding an independent troop of light-horſe, from North-Carolina, a balance amounting to thirty ſeven dollars and 45-90ths, in bringing forward the ſaid troop, and for pay advanced the firſt, ſecond and third troop, for the month of September laſt:

To Joſeph Funk, for ſundry joiner's work done at the treaſury office, ſeventy dollars and 60-90ths:

To Oliver Wolcott, eſquire, commiſſioner for Indian affairs in the northern department, up to the 15th of January, 1778, two hundred and eighty-five dollars, for forty-five days, at four dollars per day, and for his expences:

Ordered, That the ſaid accounts be paid.

The committee on the treaſury brought in a report; whereupon

Ordered, That one hundred and fifty thouſand dollars be paid to John Collins, eſquire, to be by him conveyed to the governor and council of the ſtate of Rhode-Iſland; it being advanced to the ſaid ſtate, and delivered agreeably to governor Cook's letter of the 4th of April:

That five hundred dollars be paid to Mr. N. Scudder, delegate from the ſtate of New-Jerſey, advanced on his application, and for which the ſaid ſtate is to be accountable:

That one thouſand dollars be paid to Mr. E. Langworthy, a delegate from the ſtate of Georgia, advanced on his application; for which the ſaid ſtate is to be accountable.

Congreſs reſumed the conſideration of the ſtate of theſe United States with reſpect to foreign nations; whereupon

Reſolved, That a committee of three be appointed to report proper inſtructions to be tranſmitted to the commiſſioners of the United States at foreign courts;

The members choſen Mr. R. H. Lee, Mr. G. Morris, and Mr. Sherman.

Reſolved, That the marine committee be directed to procure immediately ſix of the beſt and ſwifteſt ſailing packet boats, for conveying diſpatches to and from France and Spain and the Weſt-Indies.

The committee of commerce reported, that they have received from the board of war an invoice of articles to be imported from France for the campaign of 1779, together

gether with a list of medicines, which they beg leave to submit to the consideration of Congress:

The invoices being read and some alterations made therein,

Ordered, That the committee of commerce transmit the invoices as corrected, and give the necessary directions for importing the goods therein mentioned.

Adjourned to ten o'clock to-morrow.

SATURDAY, *May* 2, 1778.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the commissioner of the continental loan-office in the state of Rhode-Island, for one hundred and fifty thousand dollars, in favour of the governor and council of that state; it being advanced agreeably to governor Cook's letter of the 4th of April; the said state to be accountable.

Ordered, That there be paid to Nathan Sellers, for making a fine paper mould to manufacture paper for bills of exchange, and for his expences coming to York-Town and returning home, one hundred and sixty-four dollars and 50-90ths.

Resolved, That the managers of the lottery be authorised to employ their agents in each state to pay off the prizes of the tickets sold by them respectively; and for this purpose to draw upon the several continental loan-offices for so much of the money arising on the sales of the tickets and deposited in such offices respectively, as they shall find necessary to pay off such prizes:

That the several agents be instructed by the managers, previous to the payment of prizes not of the lowest denomination in each class, to receive the tickets entitling the possessors to such prizes, give receipts for the same, and transmit them to the managers, for their examination, with the names of the respective owners endorsed thereon, and specifying which of the said prizes are at the owners request to be paid in loan-office certificates:

That the loan-office certificates, which may issue for prizes of the second class of the lottery of the United States, shall bear an interest of six per cent. per annum; any resolution to the contrary notwithstanding:

That the managers be directed forthwith to prepare and make sale of the tickets of the second class of the lottery;

lottery ; that the drawing thereof commence the firſt of January next, and be compleated as ſoon as may be, and that all the tickets then unſold be the property and at the riſque of the United States :

That loan office certificates of the following denominations, bearing an intereſt of four per cent. per annum be ſtruck, under the directions of the board of treaſury, to be iſſued to ſuch fortunate adventurers in the firſt claſs as may be intitled to and apply for the ſame, viz.

50 certificates of	1000 dollars each,	50000
400 ditto	of 500 do. each,	200000

Reſolved, That the committee appointed to ſuperintend the publication of the journals of Congreſs be impowered and inſtructed to employ Mr. John Dunlap to continue printing the ſaid journals, inſtead of Robert Aitkin.

Congreſs took into conſideration the report of the committee to whom was referred the letter from the commiſſioners at Pittſburg; whereupon

Reſolved, That two regiments be raiſed in Virginia and Pennſylvania, to ſerve for one year, unleſs ſooner diſcharged by Congreſs, for the protection of, and operations on the weſtern frontiers; twelve companies in Virginia and four in Pennſylvania; each non-commiſſioned officer and ſoldier to receive twenty dollars bounty, and the ſame cloathing with the other continental ſoldiers: Every non-commiſſioned officer and ſoldier who ſhall find his own blanket, muſket or rifle and accoutrements, ſhall have the ſame allowance as is given by Congreſs to the drafts from the militia for filling up the continental regiments:

That brigadier Hand be recalled from his command at Pittſburgh, agreeably to his requeſt :

That a proper officer be immediately ſent to take command on the weſtern frontiers :

That a proper perſon be appointed to perform the duties of quartermaſter, commiſſary and paymaſter to the militia of the counties of Rockingham, Auguſta, Rockbridge, Bottetourt, Montgomery, Waſhington and Greenbriar, in Virginia :

That the commiſſioners at Fort-Pitt, or in their abſence, the officer appointed to command on the weſtern frontier, be authoriſed to appoint a perſon to perform the duties aforeſaid, and the officers neceſſary for commanding the battalions above-mentioned :

That

That general Washington be desired to appoint the officer to take the command at Fort Pitt and the western frontiers, and that a copy of the commissioners letter be sent to the general.

Adjourned to ten o'clock on Monday.

During the adjournment Mr. Simeon Deane, brother to Silas Deane, esquire, one of the commissioners at the court of Versailles, arrived express from France, with sundry important dispatches; whereupon

Congress was convened, and the dispatches opened and read, among which are a treaty of commerce and a treaty of alliance, concluded between his Most Christian Majesty the King of France and the United States of America, on the 6th day of February, 1778.

MONDAY, *May* 4, 1778.

A letter of the 30th of April from general Washington was read:

Ordered, That it be referred to a committee of three;

The members chosen Mr. R. H. Lee, Mr. Drayton and Mr. Chase.

Two letters of the 1st from general Washington were read.

A letter of the 2d from the council of Pennsylvania, with sundry papers inclosed, was read:

Ordered, That an extract of the said letter, relative to money, be referred to the board of treasury, and that the letter, with the papers inclosed, be referred to the committee for Indian affairs.

A letter of April the 24th from James Duane, esquire, was read:

Ordered, That copies thereof be sent, one to general Washington, and one to general Gates.

A letter of April the 29th from general Green, quartermaster general, was read:

Ordered, That it be referred to the board of treasury.

A letter of January the 24th and one of February the 2d from messieurs Hughes and Smith, inclosing bills of exchange drawn by them on the committee of commerce, were read:

Ordered, That they be referred to the board of treasury.

A letter of April the 21st from general Heath was read:

Ordered, That it be referred to the board of treasury.

A report from the board of war, dated April the 16th, was read:

Ordered, That it be referred to the board of treaſury.

A petition from the reverend Mr. Lotbinier was read:

Ordered, That it be referred to the board of treaſury.

Congreſs took into conſideration the treaties concluded between his Moſt Chriſtian Majeſty the King of France and the United States of America, which were read.

Three o'clock, P. M.

The committee to whom was referred the letter of April the 16th, from major general Schuyler, with ſundry papers incloſed, brought in a report, which was taken into conſideration; whereupon

Reſolved, That general Gates be directed to afford all that protection to the Oneida and Tuſcorora tribes, and others of the ſix Indian nations, which the commiſſioners for Indian affairs in the northern department promiſed them in behalf of the United States; and that a copy of the reſolution of the ſaid commiſſioners, paſſed on this ſubject, the 15th day of April laſt, be tranſmitted to general Gates:

That Mr. James Deane, agent and interpreter for the commiſſioners of Indian affairs in the northern department, have his annual ſalary augmented to ſix hundred dollars, to commence from the firſt day of January laſt; and that the ſaid commiſſioners be authoriſed to allow him ſuch ſums for his extra expences as they ſhall judge reaſonable:

That the ſaid commiſſioners be authoriſed to draw on Jonathan Trumbull, eſquire, paymaſter in the northern department, for ten thouſand dollars, for purchaſing goods to open a trade at Fort Schuyler with ſuch of the ſix Indian nations as they ſhall judge proper, and that the ſaid commiſſioners appoint ſome ſuitable perſon or perſons to ſuperintend and manage the ſaid trade, under ſuch regulations as they ſhall make, taking care that the ſaid trade be not attended with any expence to the United States, if the end which Congreſs have in view, which is to provide for and conciliate the affections of the ſaid Indians, can be obtained upon ſuch terms.

Congreſs reſumed the conſideration of the Treaty of Amity and Commerce, concluded at Paris, the 6th day of February, 1778, between the Moſt Chriſtian King and the

the United States of America; and the ſame being read, duly weighed and conſidered,

Reſolved unanimouſly, That the ſame be and is hereby ratified.

Congreſs alſo took into conſideration the Treaty of Alliance, concluded at Paris, on the 6th day of February, 1778, between the Moſt Chriſtian King and the United States of America; and the ſame being read, duly weighed and conſidered,

Reſolved unanimouſly, That the ſame be and is hereby ratified.

Congreſs alſo took into conſideration the Act ſeparate and ſecret, concluded at Paris, the 6th day of February, 1778, between his Moſt Chriſtian Majeſty and the United States of America; and the ſame being duly weighed,

Reſolved unanimouſly, That the ſame be and is hereby ratified.

Reſolved, That this Congreſs entertain the higheſt ſenſe of the magnanimity and wiſdom of his Moſt Chriſtian Majeſty, ſo ſtrongly exemplified in the Treaty of Amity and Commerce, and the Treaty of Alliance, entered into on the part of his Moſt Chriſtian Majeſty, with theſe United States, at Paris, on the 6th day of February laſt: and the commiſſioners or any of them repreſenting theſe ſtates, at the court of France, are directed to preſent the gratiful acknowledgments of this Congreſs to his Moſt Chriſtian Majeſty, for his truly magnanimous conduct reſpecting theſe ſtates, in the ſaid generous and diſintereſted Treaties, and to aſſure his Majeſty, on the part of this Congreſs, it is ſincerely wiſhed that the friendſhip ſo happily commenced between France and theſe United States may be perpetual.

Reſolved, That a committee of three be appointed to prepare the form of a ratification of the foregoing Treaties;

The members choſen Mr. R. H. Lee, Mr. Dana and Mr. Drayton.

Adjourned to ten o'clock to-morrow.

TUESDAY, *May* 5, 1778.

On motion

Reſolved, That a paſſport and ſafe conduct be granted to Mrs. Prevoſt, wife of brigadier Prevoſt, now at Auguſtine, that ſhe may return to Europe.

A letter

A letter of the 3d and one of the 4th from general Washington were read, the latter inclosing a letter and account from general lord Sterling:

Ordered, That the letter and account from general lord Sterling be referred to the board of treasury.

A letter of the 1st from general Green, quartermaster general, was read.

Resolved, That the board of war be directed to send without delay a person of diligence and skill to Virginia, there to enquire into the state and condition of the salted pork and beef purchased for the use of the army; that he be directed to pass along the different stages, where the said provisions may be lodged, as at George-Town, Alexandria, Dumfries, Cave's Warehouse, Fredericksburgh, &c. &c. and examine into the conduct of all deputy commissaries, deputy quartermasters, and deputy waggonmasters on the said rout; and where he shall discover any misconduct in the said officers, either by neglecting to forward the provisions to the Camp, or by suffering the same to be damaged, or by misconducting the waggonage to the public injury, that he report the result of such enquiry to the heads of the respective departments, and to the governor of Virginia, together with the state and condition in which he shall find the provisions; and that he cause necessary cooperage, fresh brine, smoaking and other necessary precautions to be taken for the preservation of the public provisions; and that he cause all prudent expedition to be used in forwarding the sound provisions quickly to the army.

Mr. P. Livingston, a delegate from the state of New-York, attended and took his seat in Congress.

Resolved, That the commissioners or any one of them, representing these states at the court of France, be instructed to inform that court, that although Congress have readily ratified the Treaties of Amity and Commerce and Treaty of Alliance, and the Act separate and secret between his Most Christian Majesty and these United States, in order to evince more clearly their sense of the magnanimity and goodness of his Most Christian Majesty evidenced in the said Treaties; yet from a sincere desire of rendering the friendship and alliance so happily begun, permanent and perpetual, and being apprehensive that differences may arise from the 11th and 12th articles in the Treaty of Amity and Commerce, Congress

are

are desirous that the said 11th and 12th articles may be revoked and utterly expunged:

The commissioners or any one of them are therefore instructed to use their best endeavours to procure the abolition of the said 11th and 12th articles of the said Treaty.

The committee appointed to prepare the form of a ratification, brought in the same, which was read and agreed to, as follows;

THE Congress of the United States of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, by the Grace of God, sovereign, free and independent; to all who shall see these presents Greeting:

WHEREAS, in and by our commission, dated at Philadelphia, the 30th day of September, in the year of our Lord one thousand seven hundred and seventy six, Benjamin Franklin, one of the delegates in Congress from the state of Pennsylvania, and president of the convention of the said state, &c. Silas Deane, late a delegate from the state of Connecticut, and Arthur Lee, barrister at law, were nominated and appointed our commissioners, with full powers to treat, agree and conclude with his Most Christian Majesty the king of France, or with such person or persons as should be by him for that purpose authorised, of and upon a true and sincere friendship, and a firm, inviolable and universal peace, for the defence, protection and safety of the navigation and mutual commerce of the subjects of His Most Christian Majesty and the people of the United States, we, promising in good faith to ratify whatsoever our said commissioners should transact in the premises: and whereas, our said commissioners, in pursuance of their full powers, on the sixth day of February last, at Paris, with Conrad Alexander Gerard, royal syndic of the city of Strasburg, secretary of His Most Christian Majesty's council of state, by virtue of powers plenipotentiary to him granted by His Most Christian Majesty, and dated the 30th day of January, in the year of our Lord one-thousand seven hundred and seventy-eight, did conclude and sign, on the part of the Crown of France, and of the United States of America,

a Treaty

a (Treaty of amity and commerce—or Treaty of alliance—or act ſeparate and ſecret) in the following words, (here inſert the reſpective treaties verbatim French and Engliſh.)

Now know ye, That we the ſaid Congreſs have unanimouſly ratified and confirmed, and by theſe preſents do ratify and confirm the ſaid Treaty and every part, article and clauſe thereof, on our part concluded and ſigned as aforeſaid; and further do authoriſe and direct our commiſſioners at the court of France, or any of them, to deliver this our act of ratification in exchange for the ratification of the ſaid Treaty on the part of his Moſt Chriſtian Majeſty the King of France and Navarre.

Done in Congreſs, at York Town, in the ſtate of Pennſylvania, this fourth day of May, in the year of our Lord one thouſand ſeven hundred and ſeventy-eight.

In teſtimony whereof, the preſident, by order of the ſaid Congreſs hath hereunto ſubſcribed his name and affixed his ſeal.

Preſident. (L. S.)

Atteſt. Secretary.

Ordered, That ſix copies of the Treaties, with the ratification agreed to, be made out and tranſmitted by the committee for foreign affairs to the commiſſioners of the United States at the court of France by different conveyances.

Ordered, That the marine committee provide veſſels for carrying the ſaid diſpatches.

Ordered, That the committee appointed to prepare the form of a ratification be directed to prepare a proper publication on the preſent occaſion.

Three o'clock, P. M.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Moſes Black, for the ſum of fifty-four thouſand three hundred and eighty-ſeven dollars and 60-90ths, in diſcharge of the following draughts of Otis and Andrews, in favour of Philip Moore, and indorſed to the ſaid M. Black, viz.

One dated 1ſt April, 1778, at three days ſight, for three thouſand three hundred and thirty-three dollars and 30-90ths; one dated 2d of April, 1778, at one day's ſight, for

for three thouſand three hundred and thirty-three dollars and 30-90ths; one dated 3d of April, 1778, at one day's ſight, for three thouſand three hundred and thirty-three dollars and 30 90ths; one dated 4th of April, 1778, at three days ſight, for forty thouſand dollars; one dated 13th of April, 1778, at four days ſight, for four thouſand three hundred and eighty-ſeven dollars and 60-90ths; which ſums are paid at the inſtance of James Meaſe, eſquire, cloathier general, and to be charged to his account.

Ordered, That a warrant iſſue on the treaſurer in favour of colonel Charles Stewart, commiſſary general of iſſues, for the ſum of forty thouſand dollars, for the uſe of his department, and to be charged to his account.

Ordered, That four hundred thouſand dollars be paid to William Buchanan, eſquire, late commiſſary general of purchaſes, two hundred thouſand dollars of which for the payment of debts by him contracted in the northern, and two hundred thouſand dollars for the payment of debts contracted in the ſouthern diſtrict; which ſum is to be charged to his account.

Ordered, That one thouſand nine hundred and thirty-four dollars and 60-90ths be paid to Daniel Joy, it being the amount of his account liquidated by the board of war for proving cannon, for the uſe of the United States.

Ordered, That a warrant iſſue on the treaſurer in favour of general Green, quartermaſter general, for three million of dollars, for the uſe of his department, and to be charged to his account.

Reſolved, That the officers appointed to command the two battalions ordered to be raiſed in Virginia and Pennſylvania, for the defence of the weſtern frontiers, be no longer continued in pay, nor be conſidered as continental officers longer than the ſaid regiments are continued in ſervice.

The committee to whom was referred the letter of April the 30th from general Waſhington, brought in a report; whereupon

Reſolved, That Congreſs approve general Waſhington's plan for the inſtitution of a well organized inſpectorſhip:

That baron Steuben be appointed to the office of inſpector general, with the rank and pay of major general; his pay to commence from the time he joined the army and entered into the ſervice of the United States:

That

That there be two ranks of inſpectors, under the direction of the inſpector general, the firſt to ſuperintend two or more brigades, and the other to be charged with the inſpection of only one brigade:

That the officers appointed inſpectors receive, in addition to the pay which they derive from their rank, thirty dollars a month; and that the brigade inſpectors receive, in addition to their pay, twenty dollars a month:

That general Waſhington be authoriſed to appoint ſuch perſons to be inſpectors and brigade inſpectors for the main army as he ſhall think beſt qualified to execute the ſeveral duties of thoſe offices.

Reſolved, That the pay of the auditors of the army be hereafter augmented to five dollars a day, and that each of them be allowed forage for his ſervant's horſe whilſt in Camp.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *May* 6, 1778.

A letter of April 27th from John Baynton, paymaſter at Fort Pitt, was read:

Ordered, That it be referred to the board of treaſury.

A letter of April 27th from the commiſſioners at Fort Pitt, with ſundry papers incloſed, was read:

Ordered, That the ſame be referred to the board of war, who are directed to report thereon.

The committee on the treaſury brought in a report; whereupon

Ordered, That ſixteen thouſand dollars be paid to the marine committee, to enable them to make a partial payment to William Smith, eſquire, for iron and flour purchaſed by him for the uſe of the navy in the eaſtern department; for which they are to be accountable:

That eighteen thouſand three hundred and ſix dollars be paid to the committee of commerce, to diſcharge three bills of exchange drawn upon them by meſſieurs Hewes and Smith, commercial agents at Edenton, North-Carolina; the ſaid committee to be accountable.

The committee appointed to prepare a publication brought in a draught, which was read, and after debate

Reſolved, That the ſame be re-committed.

Reſolved, That Mr. G. Morris be added to the committee.

Three

Three o'clock, P. M.

The committee to whom was re-committed the draught for publication, brought in another draught, which was taken into conſideration, and agreed to as follows:

Whereas Congreſs have received from their Commiſſioners at the Court of France copies of a Treaty of Amity and Commerce, and of a Treaty of Alliance, between the Crown of France and theſe United States, duly entered into and executed at Paris, on the ſixth day of February laſt, by a miniſter properly authoriſed by his Moſt Chriſtian Majeſty on the one part, and the ſaid Commiſſioners on the other part: and whereas the ſaid Treaties have been maturely conſidered and unanimouſly ratified and confirmed by Congreſs; in which ſaid Treaty of Amity and Commerce are the articles following, to wit (here inſert Art. 6, 7, 14, 15, 16, 17, 20, 21, 25, 26, 27 and 29, with the form of the paſſports.) Now therefore, to the end that the ſaid Treaty may be well and faithfully performed and kept on the part and behalf of theſe United States;

Reſolved, That all captains, commanders, and other officers and ſeamen belonging to any veſſels of war of theſe United States, or any of them, or of any private armed veſſels commiſſioned by Congreſs, and all other the ſubjects of theſe United States, do govern themſelves ſtrictly in all things according to the above recited articles; and that they do afford the ſame aid and protection to the perſons, commerce and property of the ſubjects of his Moſt Chriſtian Majeſty, as is due to the perſons, commerce and property of the inhabitants of theſe United States:

And further it is recommended to all the inhabitants of theſe ſtates to conſider the ſubjects of his Moſt Chriſtian Majeſty as their brethren and Allies, and that they behave towards them with the friendſhip and attention due to the ſubjects of a great Prince, who with the higheſt magnanimity and wiſdom hath treated with theſe United States on terms of perfect equality and mutual advantage, thereby rendering himſelf the protector of the rights of mankind.

On motion

Reſolved, That when any ſhip or veſſel of war in the ſervice of the United States ſhall be loſt by capture or otherwiſe, a court of enquiry, conſiſting of that continen-

tal navy board which ſhall by the marine committee of Congreſs be directed to proceed therein, or any three perſons that ſuch navy board may appoint, be held, to enquire into the cauſe of ſuch loſs; and if it ſhall appear that the ſame was occaſioned by the negligence or mal-conduct of the captain or any other commiſſioned officer belonging to the ſhip or veſſel of war ſo loſt, that then a court-martial be held for the trial of the officer ſo offending, to conſiſt of ſuch officers, if conveniently to be collected, as by the rules and regulations of the navy conſtitute a court-martial, otherwiſe of five ſuch perſons, as the ſaid navy board ſhall for that purpoſe appoint; and if ſuch loſs ſhould be by capture, and it ſhall appear on trial that the ſame was occaſioned by the cowardice or treachery of the commanding officer, then and in that caſe ſuch commanding officer ſhall ſuffer death; and if the loſs, whether by capture or otherwiſe, ſhould be occaſioned by any other mal-conduct, ſuch commanding officer ſhall be by ſuch court-martial caſhiered.

Reſolved, That when two or more ſhips or veſſels of war in the ſervice of theſe ſtates are in company, and any or either of them ſhall be loſt by capture or otherwiſe, a court of enquiry, ſo conſtituted as aforeſaid, ſhall be held to enquire into the cauſes thereof; and if it ſhould appear that ſuch loſs was occaſioned by the mal-conduct or negligence of any captain or commanding officer of any other ſhip or veſſel in company as aforeſaid, then a court-martial, conſtituted as before mentioned, ſhall be held for the trial of the officer ſo offending; and if the loſs ſhould be by capture, and it ſhould appear on trial that ſuch capture was occaſioned by the cowardice or treachery of ſuch captain or commanding officer, by with-holding his aſſiſtance from the ſhip or veſſel of war ſo captured, then and in that caſe ſuch captain or commanding officer ſhall ſuffer death; but if it ſhall appear that the loſs happened through any other mal-conduct of ſuch captain or commanding officer, then he ſhall be by ſuch court-martial caſhiered.

Reſolved, That if, upon enquiry as aforeſaid into the conduct of any officer or officers in the ſervice of theſe ſtates, it ſhall appear that they or any of them ſhall have offended in any inſtance mentioned in theſe reſolutions, it ſhall be in the power of the navy board to ſuſpend ſuch officer or officers until a trial by court-martial ſhall be had,

had, and the navy board ſhall forthwith tranſmit to the marine committee the proceedings of ſuch court of enquiry, with their doings in conſequence thereof; and to Congreſs all the proceedings of courts-martial, when any ſhall be had, previous to the execution of any capital ſentence, that ſhall be by ſuch court-martial awarded; to the end that Congreſs may extend their mercy to ſuch offenders as they may judge to be proper objects thereof.

Reſolved, That theſe reſolves continue in force one year from the date hereof, and no longer.

Reſolved, That a committee of three be appointed to prepare an addreſs to the inhabitants of theſe ſtates, upon the preſent ſituation of public affairs;

The members choſen Mr. R. H. Lee, Mr. Chaſe and Mr. G. Morris.

A letter from the board of war was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Huntington, Mr. Carroll and Mr. Sherman.

Congreſs took into conſideration a report of the board of treaſury of the 5th, whereupon

Reſolved, That William Palfrey, paymaſter general, be allowed the additional pay of one hundred dollars a month from the date of this reſolution, until Congreſs ſhall otherwiſe order.

Adjourned to ten o'clock to-morrow.

THURSDAY, *May* 7, 1778.

Congreſs took into conſideration the report of the committee, on the report and proceedings of the committees of the ſeveral ſtates that met at New-Haven in January, and on the reſolves from North-Carolina; and after ſome time ſpent thereon,

Reſolved, That the farther conſideration thereof be poſtponed.

The board of war having recommended Nathaniel Chapman, eſquire, to be captain of the additional company to colonel Flower's regiment of artillery artificers;

John Jordan, eſquire, to be captain, in the room of David Pancoaſt, reſigned; and

Henry Strape and Theophilus Park lieutenants in the ſame corps;

Reſolved, That they be appointed, and that commiſſions be granted to them accordingly.

The

The board of treaſury brought in a report; whereupon

Ordered, That two thouſand and ſixty-ſix dollars and 60-90ths be paid to William Hoffman, paper-maker, being ſo much advanced him on account.

Reſolved, That the reſolution of Congreſs of the 15th of January, 1777, impowering the continental treaſurer to borrow money on loan-office certificates, be and it hereby is repealed and annulled.

Reſolved, That the commiſſioners appointed for the courts of Spain, Tuſcany, Vienna, and Berlin, ſhould live in ſuch ſtile and manner at their reſpective courts as they may find ſuitable and neceſſary to ſupport the dignity of their public character; keeping an account of their expences, which ſhall be reimburſed by the Congreſs of the United States of America:

That, beſides the actual expences of the commiſſioners, a handſome allowance be made to each of them, as a compenſation for his ſervices:

That the commiſſioners of the other courts in Europe be impowered to draw bills of exchange from time to time for the amount of their expences upon the commiſſioners at the court of France.

Adjourned to ten o'clock to-morrow.

FRIDAY, *May* 8, 1778.

A letter of the 7th from James Meaſe, cloathier general, incloſing a letter of the 20th of March laſt from Raymond Demere, was read, ſoliciting the payment of ſundry bills of exchange, drawn by the ſaid Demere:

Ordered to lie on the table.

A letter from Mr. de Francey was read:

Ordered, That it be referred to the board of treaſury.

The committee to whom was referred a letter from the board of war, reſpecting the contracts of colonel Mark Bird, for caſting cannon, report,

That they agree in opinion with the board of war that he ought to be allowed ten pounds Pennſylvania currency, per ton, more than the original contract with the cannon commiſtee, in conſideration of his loſs ſuſtained by the additional quantity of powder required to be uſed in the proof of the ſaid cannon beyond the firſt agreement; whereupon

Reſolved, That the board of war be authoriſed to ſettle with colonel Mark Bird accordingly, and receive from him

him the cannon belonging to the United States remaining in his hands.

The commiſſioners of accounts at the treaſury, with the approbation of the auditor general, report,

That there is due to lieutenant John Grier, of colonel William Irwin's regiment, a balance of four hundred and thirty-two dollars and 54-90ths, for pay during the time he was a priſoner:

To Philip Albright, fifty-ſix dollars and 60-90ths, for ſundry contingencies for the money preſs in York-Town:

To John Thaxter, the ſum of two hundred and ſeventy-ſix dollars and 33-90ths, for his ſervices as clerk in the ſecretary's office from the 9th of January to the 5th of May inſtant:

Ordered, That the ſaid accounts be paid.

The committee appointed to prepare an addreſs to the inhabitants of the United States of America, brought in a draught, which was taken into conſideration, and ſundry amendments being made therein, was agreed to as follows:

An ADDRESS of the CONGRESS to the Inhabitants of the United States of America.

Friends and Countrymen,

THREE years have now paſſed away, ſince the commencement of the preſent war. A war without parallel in the annals of mankind. It hath diſplayed a ſpectacle, the moſt ſolemn that can poſſibly be exhibited. On one ſide, we behold fraud and violence labouring in the ſervice of deſpotiſm; on the other, virtue and fortitude ſupporting and eſtabliſhing the rights of human nature.

You cannot but remember how reluctantly we were dragged into this arduous conteſt; and how repeatedly, with the earneſtneſs of humble intreaty, we ſupplicated a redreſs of our grievances from him who ought to have been the father of his people. In vain did we implore his protection: In vain appeal to the juſtice, the generoſity, of Engliſhmen—of men, who had been the guardians, the aſſertors and vindicators of liberty through a ſucceſſion of ages: Men, who, with their ſwords, had eſtabliſhed the firm barrier of freedom, and cemented it with the blood of heroes. Every effort was vain. For, even whilſt we were proſtrated at the foot of the throne, that fatal blow was ſtruck, which hath ſeparated us for ever.

Thus

Thus ſpurned, contemned and inſulted—thus driven by our enemies into meaſures, which our ſouls abhorred—we made a ſolemn appeal to the tribunal of unerring wiſdom and juſtice. To that Almighty ruler of Princes, whoſe kingdom is over all.

We were then quite defenceleſs. Without arms, without ammunition, without cloathing, without ſhips, without money, without officers ſkilled in war; with no other reliance but the bravery of our people and the juſtice of our cauſe. We had to contend with a nation great in arts and in arms, whoſe fleets covered the ocean, whoſe banners had waved in triumph through every quarter of the globe. However unequal this conteſt, our weakneſs was ſtill farther increaſed by the enemies which America had nouriſhed in her boſom. Thus expoſed, on the one hand, to external force and internal diviſions; on the other, to be compelled to drink of the bitter cup of ſlavery, and to go ſorrowing all our lives long; in this ſad alternative, we choſe the former. To this alternative we were reduced by men, who, had they been animated by one ſpark of generoſity, would have diſdained to take ſuch mean advantage of our ſituation; or, had they paid the leaſt regard to the rules of juſtice, would have conſidered with abhorrence a propoſition to injure thoſe, who had faithfully fought their battles, and induſtriouſly contributed to rear the edifice of their glory.

But, however great the injuſtice of our foes in commencing this war, it is by no means equal to that cruelty with which they have conducted it. The courſe of their armies is marked by rapine and devaſtation. Thouſands, without diſtinction of age or ſex, have been driven from their peaceful abodes, to encounter the rigours of inclement ſeaſons; and the face of heaven hath been inſulted by the wanton conflagration of defenceleſs towns. Their victories have been followed by the cool murder of men, no longer able to reſiſt; and thoſe who eſcaped from the firſt act of carnage have been expoſed, by cold, hunger and nakedneſs, to wear out a miſerable exiſtence in the tedious hours of confinement, or to become the deſtroyers of their countrymen, of their friends, perhaps, dreadful idea! of their parents or children. Nor was this the outrageous barbarity of an individual, but a ſyſtem of deliberate malice, ſtamped with the concurrence of the Britiſh legiſlature, and ſanctioned with all the formalities of

of law. Nay, determined to diſſolve the cloſeſt bonds of ſociety, they have ſtimulated ſervants to ſlay their maſters in the peaceful hour of domeſtic ſecurity. And, as if all this were inſufficient to ſlake their thirſt of blood, the blood of brothers, of unoffending brothers, they have excited the Indians againſt us; and a general, who calls himſelf a Chriſtian, a follower of the merciful Jeſus, hath dared to proclaim to all the world his intention of letting looſe againſt us whole hoſts of ſavages, whoſe rule of warfare is promiſcuous carnage, who rejoice to murder the infant ſmiling in its mother's arms, to inflict on their priſoners the moſt excruciating torments, and exhibit ſcenes of horror from which nature recoils.

Were it poſſible, they would have added to this terrible ſyſtem, for they have offered the inhabitants of theſe ſtates to be exported by their merchants to the ſickly, baneful climes of India, there to periſh. An offer not accepted of, merely from the impracticability of carrying it into execution.

Notwithſtanding theſe great provocations, we have treated ſuch of them as fell into our hands with tenderneſs, and ſtudiouſly endeavoured to alleviate the afflictions of their captivity. This conduct we have purſued ſo far, as to be by them ſtigmatized with cowardice, and by our friends with folly. But our dependance was not upon man. It was upon Him, who hath commanded us to love our enemies, and to render good for evil. And what can be more wonderful than the manner of our deliverances? How often have we been reduced to diſtreſs, and yet been raiſed up? When the means to proſecute the war have been wanting to us, have not our foes themſelves been rendered inſtrumental in providing them? This hath been done in ſuch a variety of inſtances, ſo peculiarly marked almoſt by the direct interpoſition of Providence, that not to feel and acknowledge his protection, would be the height of impious ingratitude.

At length that God of battles, in whom was our truſt, hath conducted us thro' the paths of danger and diſtreſs to the threſholds of ſecurity. It hath now become morally certain, that, if we have courage to perſevere, we ſhall eſtabliſh our liberties and independence.——The haughty prince, who ſpurned us from his feet with contumely and diſdain,—and the parliament which proſcribed

ed us, now deſcend to offer terms of accommodation. Whilſt in the full career of victory, they pulled off the maſk, and avowed their intended deſpotiſm. But having laviſhed in vain the blood and treaſure of their ſubjects in purſuit of this execrable purpoſe, they now endeavour to enſnare us with the inſidious offers of peace. They would ſeduce you into a dependence, which neceſſarily, inevitably leads to the moſt humiliating ſlavery. And do they believe that you will accept theſe fatal Terms? becauſe you have ſuffered the diſtreſſes of war, do they ſuppoſe that you will baſely lick the duſt before the feet of your deſtroyers? can there be an American ſo loſt to the feelings which adorn human nature? to the generous pride, the elevation, the dignity of freedom! is there a man who would not abhor a dependence upon thoſe, who have deluged his country in the blood of its inhabitants? we cannot ſuppoſe this; neither is it poſſible that they themſelves can expect to make many converts. What then is their intention? is it not to lull you with the fallacious hopes of peace, until they can aſſemble new armies to proſecute their nefarious deſigns? if this is not the caſe, why do they ſtrain every nerve to levy men throughout their iſlands? why do they meanly court every little tyrant of Europe to ſell them his unhappy ſlaves? why do they continue to embitter the minds of the ſavages againſt you? ſurely this is not the way to conciliate the affections of America. Be not, therefore, deceived. You have ſtill to expect one ſevere conflict. Your foreign alliances, tho' they ſecure your independence, cannot ſecure your country from deſolation, your habitations from plunder, your wives from inſult or violation, nor your children from butchery. Foiled in their principal deſign, you muſt expect to feel the rage of diſappointed ambition. Ariſe then! to your tents! and gird you for battle. It is time to turn the headlong current of vengeance upon the head of the deſtroyer. They have filled up the meaſure of their abominations, and like ripe fruit muſt ſoon drop from the tree. Although much is done, yet much remains to do. Expect not peace, whilſt any corner of America is in poſſeſſion of your foes. You muſt drive them away from this land of promiſe, a land flowing indeed with milk and honey. Your brethren at the extremities of the continent, already implore your friendſhip and protection. It is your duty to

grant

grant their requeſt. They hunger and thirſt after liberty. Be it yours to diſpenſe to them the heavenly gift. And what is there now to prevent it?

After the unremitted efforts of our enemies, we are ſtronger than before. Nor can the wicked emiſſaries, who ſo aſſiduouſly labour to promote their cauſe, point out any one reaſon to ſuppoſe that we ſhall not receive daily acceſſions of ſtrength. They tell you, it is true, that your money is of no value; and your debts ſo enormous they can never be paid. But we tell you, that if Britain proſecutes the war another campaign, that ſingle campaign will coſt her more than we have hitherto expended. And yet theſe men would prevail upon you to take up that immenſe load, and for it to ſacrifice your deareſt rights. For, ſurely, there is no man ſo abſurd as to ſuppoſe, that the leaſt ſhadow of liberty can be preſerved in a dependent connexion with Great-Britain. From the nature of the thing it is evident, that the only ſecurity you could obtain, would be, the juſtice and moderation of a parliament, who have ſold the rights of their own conſtituents. And this ſlender ſecurity is ſtill farther weakened, by the conſideration that it was pledged to rebels (as they unjuſtly call the good people of theſe ſtates) with whom they think they are not bound to keep faith by any law whatſoever. Thus would you be caſt bound among men, whoſe minds, by your virtuous reſiſtance, have been ſharpened to the keeneſt edge of revenge. Thus would your children and your children's children, be by you forced to a participation of all their debts, their wars, their luxuries, and their crimes. And this mad, this impious ſyſtem they would lead you to adopt, becauſe of the derangement of your finances.

It becomes you deeply to reflect on this ſubject. Is there a country upon earth, which hath ſuch reſources for the payment of her debts as America? ſuch an extenſive territory? ſo fertile, ſo bleſſed in its climate and productions? ſurely there is none. Neither is there any, to which the wiſe Europeans will ſooner confide their property. What then are the reaſons that your money hath depreciated? becauſe no taxes have been impoſed to carry on the war. Becauſe your commerce hath been interupted by your enemy's fleets. Becauſe their armies have ravaged and deſolated a part of your country. Becauſe their agents have villainouſly counterfeited your

bills. Becauſe extortioners among you, inflamed with the luſt of gain, have added to the price of every article of life. And becauſe weak men have been artfully led to believe that it is of no value. How is this dangerous diſeaſe to be remedied? let thoſe among you, who have leiſure and opportunity, collect the monies which individuals in their neighbourhood are deſirous of placing in the public funds. Let the ſeveral legiſlatures ſink their reſpective emiſſions, that ſo, there being but one kind of bills, there may be leſs danger of counterfeits. Refrain a little while from purchaſing thoſe things which are not abſolutely neceſſary, that ſo thoſe who have engroſſed commodities may ſuffer (as they deſervedly will) the loſs of their ill gotten hoards, by reaſon of the commerce with foreign nations, which the fleets will protect. Above all, bring forward your armies into the field. Truſt not to appearances of peace or ſafety. Be aſſured that, unleſs you perſevere, you will be expoſed to every ſpecies of barbarity. But if you exert the means of defence which God and nature have given you, the time will ſoon arrive, when every man ſhall ſit under his own vine, and under his own figtree, and there ſhall be none to make him afraid.

The ſweets of a free commerce with every part of the earth will ſoon reimburſe you for all the loſſes you have ſuſtained. The full tide of wealth will flow in upon your ſhores, free from the arbitrary impoſitions of thoſe, whoſe intereſt and whoſe declared policy it was to check your growth. Your intereſts will be foſtered and nouriſhed by governments, that derive their power from your grant, and will therefore be obliged, by the influence of cogent neceſſity, to exert it in your favour.

It is to obtain theſe things that we call for your ſtrenuous, unremitted exertions. Yet do not believe that you have been or can be ſaved merely by your own ſtrength. No! it is by the aſſiſtance of Heaven, and this you muſt aſſiduouſly cultivate, by acts which Heaven approves. Thus ſhall the power and the happineſs of theſe Sovereign, Free and Independent States, founded on the virtue of their citizens, increaſe, extend and endure, until the Almighty ſhall blot out all the empires of the earth.

Reſolved, That it be recommended to miniſters of the goſpel of all denominations to read or cauſe to be read, immediately

immediately after divine ſervice, the above addreſs to the inhabitants of the United States of America, in their reſpective churches and chappels, and other places of religious worſhip.

A petition from Jacob Gerhard Derks was read:

Ordered, That it be referred to general Waſhington.

A letter of the 7th from Mr. Simeon Deane, with ſundry papers incloſed, was read:

Ordered, That it be referred to the board of treaſury.

Three o'clock, P. M.

The committee appointed to examine into the conduct of captain Folger, touching a certain packet from the commiſſioners of theſe United States at Paris, which had been robbed, report,

That they have made as full an examination into that buſineſs as the evidence they were able to obtain would permit, and on the whole have no proof of any guilt in Mr. Folger: whereupon

Reſolved, That Mr. Folger be permitted to go home, and that his expences be paid him, as well ſuch as have been already incurred as ſuch as may neceſſarily accrue on his journey home.

Congreſs reſumed the conſideration of the report of the committee of the whole, on a proviſion for officers after the cloſe of the war; whereupon a motion was made to add,

"Provided that the foregoing reſolution ſhall not extend to any foreign officers, who now are or hereafter may be in the ſervice of the United States:"

On which the previous queſtion was moved, Whether that queſtion be now put? and the yeas and nays being required,

Maſſachuſetts Bay,	Mr. Gerry,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Dana,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Wolcott,	*no*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. James Smith,	*ay*	*ay*
	Mr. J. B. Smith,	*ay*	
	Mr. Clingan,	*ay*	

Maryland,

Maryland,	Mr. Chaſe,	*no*	
	Mr. Carroll,	*no*	*no*
	Mr. Henry,	*no*	
	Mr. Plater,	*no*	
Virginia,	Mr. R. H. Lee,	*no*	
	Mr. F. L. Lee,	*no*	*no*
	Mr. T. Adams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Matthews,	*no*	*no*
	Mr. Hutſon,	*no*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

A motion was then made to add

" Provided, That the proviſion of half-pay ſhall not extend to any officer who ſhall take or hold any commiſſion from any foreign prince, power or potentate, and be liable to be called into the ſervice of the prince, power or potentate of whom he is a ſubject :"

A previous queſtion was moved, Whether that queſtion be now put ? and the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	*no*
	Mr. Dana,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*divided*
	Mr. Wolcott,	*no*	
New-Jerſey,	Mr. Scudder,	*ay*	*ay*
Pennſylvania,	Mr. James Smith,	*ay*	
	Mr. J. B. Smith,	*ay*	*ay*
	Mr. Clingan,	*ay*	
Maryland,	Mr. Chaſe,	*no*	
	Mr. Plater,	*no*	
	Mr. Carroll,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. R. H. Lee,	*no*	
	Mr. F. L. Lee,	*ay*	*no*
	Mr. T. Adams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Matthews,	*no*	*no*
	Mr. Hutſon,	*no*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

A letter of the 8th from Mr. Matthew Irwin was read :

Ordered to lie on the table.

Adjourned to ten o'clock to-morrow. SATURDAY,

SATURDAY, *May* 9, 1778.

A letter of the 8th from the board of war was read:

Ordered, That it be referred to the board of treasury.

The committee on the treasury brought in a report; whereupon

Ordered, That two hundred dollars be paid to Charles Cist and James Claypoole, towards defraying their expences on their employment by the treasury in superintending the making of paper for loan-office certificates and bills of exchange; they to be accountable.

Ordered, That twenty thousand dollars be advanced to the marine committee, for the use of the navy board in the middle district; the said committee to be accountable.

Ordered, That twenty-four thousand dollars be advanced to the committee of commerce, to be by them paid to monsieur de Francy, for the use of the house of messieurs Roderique Hortales and Company and to be charged to them by the said committee of commerce, who are to be accountable.

Resolved, That a member be elected for the navy board in the middle district, in the room of John Nixon, esquire, resigned;

The ballots being taken,

William Smith, esquire, of Baltimore, was elected.

The marine committee, to whom was referred the letter from baron Steuben, recommending captain Landais, report, That they have had a conference with captain Landais; that he produced brevet commissions of his being a lieutenant and captain in the navy of France, also a continental commission dated March 1st, 1777, appointing him captain of the ship Heureaux or Flammand, which commission is accompanied with a letter from Silas Deane, esquire, in the following words, "I give you a commission to use in case of necessity or the advantage of making a prize; but you are not to go out of your course for that purpose; you will keep an account of your expences, which will be paid you on your arrival in America. I shall write to the Congress by other conveyances, and assure them that you have received nothing but your expence, and your generous confidence in them will not pass unnoticed." That Mr. Deane, in letters to the marine committee, recommends Mr. Landais in the strongest terms—that it appears to the committee that captain

Landais

Landais hath performed the buſineſs he was employed in with zeal and activity—that by his ſpirited behaviour a mutiny was quelled on board the ſhip Flammand, and ſhe and her lading brought ſafely into port:" Whereupon

Reſolved, That a ſum of money be paid to captain Landais, and that the marine committee be directed to report a pecuniary conſideration, adequate to his ſervices.

Reſolved, That captain Landais be continued as a captain in the navy of the United States.

Whereas there are more captains in the navy than there are ſhips provided for them:

Ordered, That the committee for foreign affairs write to the commiſſioners of the United States at foreign courts, and inform them, that Congreſs expect they will not recommend any foreign ſea officers, nor give any of them the leaſt expectation of being employed as captains in the navy of the United States.

Congreſs reſumed the conſideration of the report of the committee of the whole, on a proviſion to be made for officers after the war, and ſome time being ſpent thereon,

Ordered, That the farther conſideration thereof be poſtponed to Monday next.

Ordered, That Saturday next be aſſigned for taking into conſideration the articles of confederation; and that on or before Wedneſday next the delegates of the ſeveral ſtates lay on the table for the peruſal of the members any objections made or amendments propoſed to the confederacy by their ſtates.

A PROCLAMATION.

WHEREAS Congreſs have received information and complaints "that violences have been done by Ame-
"rican armed veſſels to neutral nations, in ſeizing ſhips
"belonging to their ſubjects and under their colours,
"and in making captures of thoſe of the enemy whilſt
"under the protection of neutral coaſts, contrary to the
"uſage and cuſtom of nations:" to the end that ſuch unjuſtifiable and piratical acts, which reflect diſhonour upon the national character of theſe ſtates, may be in future effectually prevented, the ſaid Congreſs hath thought proper to direct, enjoin and command, and they do hereby direct, enjoin and command, all captains, commanders and other officers and ſeamen belonging to any

any American armed veſſels, to govern themſelves ſtrictly in all things agreeably to the tenor of their commiſſions, and the inſtructions and reſolutions of Congreſs; particularly that they pay a ſacred regard to the rights of neutral powers and the uſage and cuſtom of civilized nations, and on no pretence whatever preſume to take or ſeize any ſhips or veſſels belonging to the ſubjects of princes or powers in alliance with theſe United States, except they are employed in carrying contraband goods or ſoldiers to our enemies, and in ſuch caſe that they conform to the ſtipulations contained in the treaties ſubſiſting between ſuch princes or powers and theſe ſtates; and that they do not capture, ſeize or plunder any ſhips or veſſels of our enemies, being under the protection of neutral coaſts, nations or princes, under the penalty of being condignly puniſhed therefor, and alſo of being bound to make ſatisfaction for all matters of damage and the intereſt thereof by reparation, under the pains and obligation of their perſons and goods. And further, the ſaid Congreſs doth hereby reſolve and declare, that perſons willfully offending in any of the foregoing inſtances, if taken by any foreign powers in conſequence thereof, will not be conſidered as having a right to claim protection from theſe ſtates, but ſhall ſuffer ſuch puniſhment as by the uſage and cuſtom of nations may be inflicted upon ſuch offenders.

Given in Congreſs, at York in the ſtate of Pennſylvania, this ninth day of May, anno domini 1778.

Adjourned to ten o'clock on Monday.

MONDAY, *May* 11, 1778.

A letter of the 1ſt from governor Henry of Virginia, and one of April 30th from B. Harriſon, deputy paymaſter general, with his monthly account, were read:

Ordered, That they be referred to the board of treaſury.

A letter of the 1ſt from W. Aylett, eſquire, deputy commiſſary general of purchaſes in Virginia, was read, reſpecting the pork bought of Hewes and Company, and damages recovered of them on account of its bad quality.

Whereas it hath been repreſented unto us, that a certain ſhow called "Our Lady of Mount Carmel and St. Anthony," ſaid to be the property of meſſieurs John Ignatius

tius de Oliveria Perceira, and Anthony dios dos Santos, ſubjects of his Moſt Faithful Majeſty the king of Portugal, and bound from the Braſils to Fayal, was taken on the high ſeas by a private armed veſſel commiſſioned by theſe United States, and ſent as a prize into the ſtate of Maſſachuſetts-Bay: that the ſame veſſel, being duly libelled in the courts of the ſaid ſtate, was acquitted; and that no owner hath appeared to claim the ſaid ſnow and her cargo, the maſter of the ſaid ſnow having, as is ſaid, been ſent home in another veſſel at his own requeſt by the maſter of the ſaid armed veſſel: and whereas it hath been farther repreſented unto us that divers of the commodities in the ſaid ſnow contained are periſhable; that damage may ariſe from permitting the veſſel and cargo to continue in their preſent ſituation, and that it would be dangerous to ſend the ſaid ſnow to the place of her former deſtination, as ſhe might be made prize of by ſhips in the ſervice of the King of Great-Britain.

Now therefore, to the end that right may in this behalf be done,

Reſolved, That the board of war of the ſaid ſtate of Maſſachuſetts-Bay be requeſted to make ſale, with all convenient ſpeed, in the beſt manner and for the moſt money poſſible, of the ſaid ſnow and her cargo, to depoſit the net proceeds thereof, after deducting all coſts and charges, which ſhall then be due thereon, in the public funds of theſe United States; and to tranſmit an exact account thereof to the committee of foreign affairs:

That the ſaid committee do tranſmit ſuch account and a copy of the proceedings of the court of admiralty, relative to the ſaid ſnow, together with theſe reſolutions, to the commiſſioner or commiſſioners of theſe ſtates, who may then be and reſide at the court of his Moſt Chriſtian Majeſty; and

That the ſaid commiſſioner or commiſſioners do inform the ambaſſador or reſident of his Moſt Faithful Majeſty at the ſaid court, of the premiſes; in order that the lawful and rightful owners of the ſaid ſnow and her cargo may obtain proper certificates and authentic proof of their property in the ſame, and thereby be enabled, either perſonally or by their lawful attorney, to appear, demand and receive the monies ſo depoſited as aforeſaid, together with the intereſt thereof.

It

It is nevertheleſs provided, that nothing in the foregoing reſolutions contained, ſhall be conſtrued to bar the lawful and rightful owners of the ſaid ſnow and of her cargo from their action or actions againſt the maſter or owners of the ſaid private armed veſſel, or any of them, for damages ſuſtained beyond the money ſo to be depoſited by reaſon of the capture aforeſaid; any clauſe or article thereof to the contrary notwithſtanding:

On the queſtion put, to agree to the foregoing reſolution, the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Lovell,	*ay*	*
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	
	Mr. Huntington,	*no*	*no*
	Mr. Wolcott,	*no*	
New-York,	Mr. G. Morris,	*ay*	*
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. J. B. Smith,	*ay*	
	Mr. J. Smith,	*ay*	*ay*
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carroll,	*no*	
	Mr. Plater,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. R. H. Lee,	*ay*	
	Mr. F. L. Lee,	*ay*	*ay*
	Mr. T. Adams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Matthews,	*no*	*no*
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved in the affirmative.

Ordered, That the committee to whom was referred the memorial of the 6th of March laſt from R. Morris, eſquire, be diſcharged from proceeding on that buſineſs.

The committee on the treaſury brought in a report; whereupon

Ordered, That ſixteen thouſand dollars be paid to Joſeph Nourſe, eſquire, paymaſter to the board of war and ordnance, to be by him tranſmitted to count Pulaſki, for the purpoſe of purchaſing horſes and recruiting his corps; the ſaid count Pulaſki to be accountable.

A letter of this day from Joſeph Nourſe, paymaſter to the board of war and ordnance, was read, informing that

the board of war have directed him to apply for twenty-five thouſand dollars for George Ewing, commiſſary of hides, to enable him to furniſh his deputies with money for their reſpective diſtricts, to pay his workmen and diſcharge debts contracted by him on public account: whereupon

Reſolved, That the ſum of twenty-five thouſand dollars, applied for by the commiſſary of hides, be paid to the board of war, and that they employ a diſcreet and proper perſon to apply the ſaid money to the department of hides, until due enquiry ſhall be made into the conduct of the ſaid commiſſary.

Congreſs proceeded to the election of a commiſſary of priſoners, in the room of Elias Boudinot, eſquire, reſigned, and the ballots being taken,

Colonel Francis Johnſon was elected.

Adjourned to ten o'clock to-morrow.

TUESDAY, *May* 12, 1778.

A letter of the 10th from Mr. Udney Hay, with ſundry papers incloſed, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. G. Morris, Mr. Dana and Mr. Carroll.

A letter of the 10th from colonel George Morgan was read; whereupon

Ordered, That ſo much of the ſaid letter as relates to his accounts, together with his accounts, accompanying the ſaid letter, be referred to the board of treaſury:

That ſo much of the ſaid letter as relates to Indian affairs, be referred to the committee on Indian affairs:

That the board of war be directed to make enquiry into the cauſes of the loſs of the boats on the Ohio, mentioned in the ſaid letter, and report thereon to Congreſs.

Congreſs reſumed the conſideration of the report of the committee of the whole on an allowance to officers after the war, and ſome time being ſpent thereon,

Ordered, That the farther conſideration thereof be poſtponed till to-morrow.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *May* 13, 1778.

A letter of April 26th from colonel Alexander M'Clenaghan, of the 7th Virginia regiment, was read, repreſenting

ſenting that the ſtate of his health renders him unfit to ſerve his country in ſuch manner as he could wiſh, and as there is no appearance of his being able to take the field this campaign, requeſting leave to reſign:

Reſolved, That his reſignation be accepted.

A letter of the 11th from Matthew Clarkſon, eſquire, was read:

Ordered, That it be referred to the board of treaſury.

A letter of April 20th from brigadier Stark; one of May 6th from Normond Laneuville; and a petition from major de Bois; were read:

Ordered, That they be referred to the board of war.

A remonſtrance from John Jeffers was read, praying to be paid for rum ſeized by order of the board of war, for the uſe of the army; whereupon

Reſolved, That all applications for payment of rum, ſeized by order of the board of war, for the uſe of the army, be made to the ſaid board, who are hereby directed and authoriſed to liquidate and adjuſt the ſame as they ſhall think equitable and proper.

A letter of the 11th from general Waſhington, incloſing a letter of the 10th from general ſir W. Howe, reſpecting an exchange of priſoners, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Duer, Mr. R. H. Lee and Mr. Carroll.

A letter of April 22d from major general Heath, incloſing a copy of a letter from John Morriſon, with general Heath's anſwer reſpecting the ſupplying the troops of the convention of Saratoga with proviſions, &c. was read:

Ordered, That the ſame be referred to the foregoing committee.

A petition from John Sackville Higgins, at Boſton, was read, praying for leave to return to England on parole, or to go to New-York to ſolicit an exchange:

Ordered, That it be referred to general Waſhington.

A memorial from monſieur Laneuville, with ſundry papers incloſed, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Lovell, Mr. Carroll and Mr. Duer.

A letter of this day from general Lee was read:

Ordered,

Ordered, That the conſideration thereof be poſtponed till to-morrow.

The marine committee, to whom was referred the memorial from meſſieurs Francis Hopkinſon and J. Wharton, brought in a report; whereupon

Ordered, That ſix hundred dollars be allowed to each of the memorialiſts for their extra ſervices in Borden-Town, and to defray their expences to Baltimore.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Nathaniel Appleton, eſquire, commiſſioner of the continental loan-office in the ſtate of Maſſachuſetts-Bay, in favour of the committee of commerce, for eleven thouſand ſix hundred and ſixty-ſix dollars and 60-90ths, to enable them to pay Archibald Mercer and Philip Moore, the valuation of the ſhip Two Friends, and the ſhip Moore, chartered and inſured by the ſaid committee, and taken by the enemy, as appears to them by proteſts regularly made; the ſaid committee to be accountable:

That ten thouſand one hundred and ſeventy-four dollars and 88-90ths be advanced to the committee of commerce, to diſcharge Samuel and Robert Purviance's bill of the 25th of April laſt on the ſaid committee, in favour of Elbridge Gerry, eſquire, for that ſum, it being the amount of their accounts againſt the ſhip Chaſe and ſnow George; the ſaid committee to be accountable:

That twenty thouſand dollars be advanced to William Buchanan, eſquire, late commiſſary general of purchaſes, to be by him paid to colonel George Morgan, for the uſe of the commiſſary general's department in the weſtern diſtrict; the ſaid William Buchanan, eſquire, to be accountable:

That thirty thouſand dollars be advanced to colonel George Morgan, to be by him tranſmitted to John Baynton, eſquire, paymaſter of the weſtern diſtrict at Fort Pitt, who is to be accountable:

That ſixty thouſand dollars be advanced to William Buchanan, eſquire, late commiſſary general of purchaſes, for the uſe of the middle diſtrict of the commiſſary general's department; the ſaid William Buchanan to be accountable:

That ten thouſand dollars be advanced to Joſeph Nourſe, paymaſter to the board of war and ordnance, to be by him tranſmitted to lieutenant colonel Temple, upon the application

plication of colonel Theophilus Bland, of the firſt regiment of light dragoons, to purchaſe cloathing for the ſame; the ſaid colonel Bland to be accountable:

That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan office in the ſtate of Pennſylvania, in favour of William Buchanan, eſquire, late commiſſary general of purchaſes, for twenty-five thouſand ſix hundred and ninety ſix dollars and 60-90ths, to diſcharge a demand of Blair M'Clenaghan, for a quantity of rum purchaſed of him agreeable to an order of Congreſs of the 12th day of September laſt; and that the commiſſioner of the loan-office be directed to date the certificates the 25th day of December laſt, it being the time that Mr. M'Clenaghan applied for the certificates, agreeable to his contract; the ſaid William Buchanan to be accountable:

That two hundred dollars be advanced to captain M'Ree, to diſcharge a draught of John Aſhe, provincial treaſurer of the ſtate of North-Carolina, dated May 10th, 1777, in favour of Francis Child, and expreſſed to be for the ſervice of the United States; the ſaid ſtate to be accountable.

Ordered, That colonel Bland make a particular return of the cloathing by him purchaſed and diſtributed to his men, with the names of the men receiving the ſame, to the cloathier general, in order that a proper charge may be made thereof in his books.

The commiſſioners of claims at the board of treaſury, with the approbation of the auditor general, report,

That there is due to Mr. Simeon Deane, a balance of ſix hundred and eighty-five dollars and 80-90ths, on account of his expences in bringing diſpatches from the commiſſioners at Paris:

To the reverend Mr. Lotbinier, chaplain to colonel James Livingſton's regiment, for pay and rations from March 11th to May 10th, incluſive, one hundred and one dollars:

Ordered, That the ſaid accounts be paid.

Ordered, That three thouſand dollars be paid to Mr. Simeon Deane, in conſideration of his faithful execution of a moſt important truſt repoſed in him by the commiſſioners of theſe ſtates at Paris.

Congreſs reſumed the conſideration of the report of the committee of the whole, on an allowance to officers after the war; whereupon it was moved,

That

That the report of the committee of the whole, as amended by Congreſs, be referred to the conſideration of the legiſlatures of the ſeveral ſtates, for their opinion and directions thereon:

And the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*no*	
	Mr. Lovell,	*ay*	*ay*
	Mr. Dana,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	
	Mr. Huntington,	*ay*	*ay*
	Mr. Wolcott,	*ay*	
New-York,	Mr. Duer,	*no*	
	Mr. G. Morris,	*no*	*no*
New-Jerſey,	Mr. Scudder,	*ay*	*ay*
Pennſylvania,	Mr. R. Morris,	*no*	
	Mr. James Smith,	*no*	*no*
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Carroll,	*no*	
	Mr. Plater,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. R. H. Lee,	*no*	
	Mr. F. L. Lee,	*no*	*no*
	Mr. T. Adams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Matthews,	*no*	*ay*
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

Adjourned to nine o'clock to-morrow.

THURSDAY, *May* 14, 1778.

A letter of the 12th from general Waſhington, with ſundry papers incloſed, was read:

Ordered, That ſo much of the ſaid letter as relates to the deſtruction of the frigates in the Delaware be referred to the marine committee, and the remainder to the board of war.

A letter of the 9th from lieutenant colonel Ethen Allen was read; whereupon

Reſolved, That a brevet commiſſion of colonel be granted to Ethen Allen, in reward of his fortitude, firmneſs and zeal in the cauſe of his country, manifeſted during the courſe of his long and cruel captivity, as well as on former occaſions.

A letter

A letter of the 11th from general Gates at Reading was read; whereupon

Reſolved, That a deputy adjutant general be appointed for the army in the northern department, under the command of general Gates:

The ballots being taken,

Lieutenant colonel Robert Troup was elected.

A letter of the 12th from T. Wharton, eſquire, preſident of the council of Pennſylvania; one of the 13th and one of the 18th of April from Mr. preſident Lowndes, of South-Carolina; and one of the 20th of April from brigadier Moultrie; were read:

Ordered, That the letters from Mr. preſident Lowndes and brigadier Moultrie be referred to a committee of three;

The members choſen Mr. Henry, Mr. T. Adams and Mr. Matthews.

An application from baron Boſe was read:

Ordered, That it be referred to the board of war.

A letter of this day from the board of war was read, together with a letter of the 10th from John Penn and Benjamin Chew, eſquires, incloſed therein;

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. M'Kean, Mr. Carroll and Mr. James Smith.

Ordered, That the committee for Indian affairs, to whom the letter of the ſecond from the council of Pennſylvania was referred, be diſcharged from proceeding on that buſineſs, and that the ſaid letter be referred to the board of war.

A letter of April 16th from William Gibbes, William Parker, and Edward Blake, commiſſioners of the continental loan-office in the ſtate of South-Carolina, to the continental treaſurer, was laid before Congreſs and read:

Ordered, That it be referred to the committee of commerce, who are to report thereon.

Ordered, That the memorial from ſundry inhabitants of Nova-Scotia, which was read the 6th, be referred to a committee of three;

The members choſen Mr. R. H. Lee, Mr. F. L. Lee and Mr. G. Morris.

A repreſentation of the biſhops and elders of the united brethren ſettled in Pennſylvania was read:

Ordered,

Ordered, That it be referred to a committee of three;

The members chosen Mr. Ellery, Mr. M'Kean and Mr. Carroll.

The committee on the treasury brought in a report; whereupon

Ordered, That eleven thousand dollars be advanced to Edward Langworthy, esquire, a delegate from the state of Georgia, on his application, for the use of that state, which is to be accountable.

The state of South-Carolina having transmitted their accounts against the United States,

Ordered, That the same be referred to the board of treasury.

The committee to whom were referred the letters and certificates respecting monsieur de la Neuville, report, "that they have duly examined the same, and find that monsieur de la Neuville the elder is recommended by baron de Worinser, lieutenant general in the French service, as an officer of great zeal, activity and knowledge in the French service, and as one who may be usefully employed in all military operations; that he is recommended to general Washington by the marquis de Bouilli, governor of Martinico, as an intelligent officer, not only acquainted with the theory but practice of war, having served several campaigns in Germany; that he is also recommended to general Washington by monsieur Merlet, quartermaster general of the French army, and pointed out in that recommendation as a proficient in the science of tactics, and consequently very capable of forming and disciplining bodies of infantry; that these recommendations are further strengthened by the favourable testimonies of the marquis de la Fayette and major general Conway:" whereupon

Resolved, That it is the interest of the United States to employ monsieur de la Neuville as inspector of the army under the command of major general Gates:

On putting this question, the yeas and nays being required,

Massachusetts-Bay,	Mr. Gerry,	*ay*	
	Mr. Lovell,	*no*	*no*
	Mr. Dana,	*no*	
Rhode-Island,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	
	Mr. Huntington,	*no*	*no*
	Mr. Wolcott,	*no*	

New-

New-York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*ay*	*ay*
Pennſylvania,	Mr. R. Morris,	*no*	*no*
	Mr. James Smith,	*no*	
	Mr. J. B. Smith,	*ay*	
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carroll,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Henry,	*no*	
Virginia,	Mr. R. H. Lee,	*ay*	*ay*
	Mr. F. L. Lee,	*ay*	
	Mr. T. Adams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Matthews,	*ay*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it was reſolved in the affirmative.

Reſolved, That Mr. de la Neuville's pay as inſpector be one hundred and five dollars per month and ſix rations a day; his pay and rations to commence from the time of his entering into the ſervice of the United States.

Reſolved, That Mr. de la Neuville be informed that Congreſs will be diſpoſed, after an experience of his ſervices of an inſpector to the army under general Gates for the ſpace of three months, to confer on him ſuch rank as his merits may juſtly entitle him to.

Adjourned to nine o'clock to-morrow.

FRIDAY, *May* 15, 1778.

A letter of the 5th from governor Trumbull; one of April the 30th from Jonathan Trumbull, junior, eſquire, paymaſter in the northern department; and one of the 29th of the ſame month from Joſeph Trumbull, eſquire, late commiſſary general; were read:

Ordered, That the two laſt be referred to the board of treaſury.

A letter of the 9th from W. Denning, eſquire, was read.

A paragraph of a letter of April the 27th from governor Livingſton was laid before Congreſs and read:

Ordered, That it be referred to the board of treaſury.

Congreſs having received information that divers infractions have been made by officers in the ſervice of the king of Great-Britain upon the convention of Saratoga, particularly by compelling ſome of the priſoners to bear arms againſt theſe United States ſince their return to Canada;

Reſolved, That his excellency governor Clinton of New-York be requeſted to take ſuch meaſures as he ſhall deem moſt prudent and effectual for aſcertaining the truth of this information, and to tranſmit to Congreſs the evidence which he may obtain.

Reſolved, That the ſum of two thouſand dollars in ſpecie, and ten thouſand dollars in continental money be advanced to governor Clinton, for defraying the neceſſary expences of executing the foregoing reſolution, and that the board of treaſury be authoriſed to pay the ſaid ſums.

Congreſs reſumed the conſideration of the report of the committee of the whole, on an allowance to be made to officers after the war, and on reviſion an amendment being admitted by general conſent, a queſtion was put to agree to the whole as amended; whereupon

Reſolved unanimouſly, That all military officers commiſſioned by Congreſs, who now are or hereafter may be in the ſervice of the United States, and ſhall continue therein during the war, and not hold any office of profit under theſe ſtates or any of them, ſhall after the concluſion of the war be entitled to receive annually for the term of ſeven years, if they live ſo long, one half of the preſent pay of ſuch officers; provided that no general officer of the cavalry, artillery or infantry ſhall be entitled to receive more than the one half part of the pay of a colonel of ſuch corps reſpectively; and provided that this reſolution ſhall not extend to any officer in the ſervice of the United States, unleſs he ſhall have taken an oath of allegiance to and ſhall actually reſide within ſome one of the United States.

Reſolved unanimouſly, That every non-commiſſioned military officer and ſoldier who hath inliſted or ſhall inliſt into the ſervice of theſe ſtates, for and during the war, and ſhall continue therein to the end thereof, ſhall be entitled to receive the further reward of eighty dollars at the expiration of the war.

The yeas and nays being required,

Maſſachuſetts-

Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*no*	
	Mr. Dana,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Huntington,	*ay*	
	Mr. Wolcott,	*no*	
New-York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*ay*	*ay*
Pennſylvania,	Mr. R. Morris,	*ay*	*ay*
	Mr. J. B. Smith,	*ay*	
	Mr. James Smith,	*ay*	
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carroll,	*ay*	*ay*
	Mr. Henry,	*ay*	
	Mr. Plater,	*ay*	
Virginia,	Mr. R. H. Lee,	*ay*	*ay*
	Mr. F. L. Lee,	*ay*	
	Mr. T. Adams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Matthews,	*ay*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved in the affirmative.

A letter of this day from general Mifflin was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. G. Morris, Mr. Carroll and Mr. Dana.

The committee to whom was referred the letter from John Penn and Benjamin Chew, eſquires, dated May the 10th, and directed to the board of war, brought in a report; whereupon

Reſolved, That John Penn and Benjamin Chew, eſquires, be conveyed without delay into the ſtate of Pennſylvania, and there diſcharged from their parole, and that their excellencies the preſident of Pennſylvania and the governor of New-Jerſey be ſeverally furniſhed immediately with a copy of this act.

Adjourned to nine o'clock to-morrow.

SATURDAY, *May* 16, 1778.

A letter of this day from I. Melcher was read:

Ordered,

Ordered, That it be referred to the board of war, and that the board enquire into the ſtate of the barrack-maſter's department, the number of deputies employed, and the places where, and report thereon.

A report from governor Livingſton was laid before Congreſs and read, wherein he informs "that in purſuance of the reſolution of Congreſs of the 19th of February he has removed Gifford Dally, deputy quartermaſter at Morris-Town in that ſtate, for miſbehaviour and neglect of duty, and appointed in his place Benjamin Lindſey, eſquire, during the will and pleaſure of Congreſs, or ſuch his ſuperior officer as is or may be authoriſed to remove him; that he has reduced the number of aſſiſtants employed by Joſeph Dewees, deputy commiſſary in the ſame place, from four to three:"

Ordered, That the ſaid report be referred to a committee of three;

The members choſen Mr. G. Morris, Mr. Dana and Mr. Ellery.

The committee on the treaſury brought in a report; whereupon

Ordered, That one hundred thouſand dollars be paid to doctor Thomas Bond, junior, to be by him delivered to doctor Jonathan Potts, deputy director general, for the uſe of the hoſpitals of the middle diſtrict; the ſaid doctor J. Potts to be accountable:

That twenty thouſand dollars be advanced to the committee of commerce, to enable them to diſcharge four bills drawn on them by Abraham Livingſton, eſquire, continental agent at Charles-Town, dated the 18th, 19th, 20th, and 21ſt of March, for that ſum.

Reſolved, That the invoice of articles to be imported from France, together with the liſt of medicines, approved by Congreſs, be ſigned by the committee of commerce, and tranſmitted to the commiſſioners of the United States at Paris, who are authoriſed and directed to apply to the houſe of Roderique Hortales and Company for ſuch of the ſaid articles as they ſhall not have previouſly purchaſed or contracted for.

Ordered, That copies of the invoices be delivered to monſieur de Francy, agent for Roderique Hortales and Company, together with a copy of the foregoing reſolution.

Reſolved, That the articles to be ſhipped by the houſe of Roderique Hortales and Company be not inſured, but that

that notice be given to the commiſſioners in France, that they may endeavour to obtain convoy for the protection thereof.

Reſolved, That a copy of governor Livingſton's letter of April 27th, reſpecting the horſes purchaſed for the uſe of the continental army, at the requeſt of the committee of Congreſs in Camp, be tranſmitted to the quartermaſter general; and that he be ordered immediately to pay for ſuch horſes and ſettle the accounts with the perſons employed to make the purchaſes, agreeably to the terms upon which the governor engaged.

Reſolved, That the committee for foreign affairs report ſuch alterations in or additions to the inſtructions and commiſſions given to the commiſſioners at the courts of Berlin, Vienna and Tuſcany, as they may think expedient.

Reſolved, That colonel Ethan Allen be entitled to all the benefits and privileges of a lieutenant colonel in the ſervice of the United States, during the time of his late captivity.

A number of intercepted letters were laid before Congreſs:

Ordered, That they be referred to a committee of three, and that the ſaid committee be impowered to take ſuch ſteps and purſue ſuch meaſures as they judge neceſſary for the intereſt of the United States;

The members choſen Mr. R. H. Lee, Mr. Lovell and Mr. Witherſpoon.

Adjourned to nine o'clock on Monday.

MONDAY, *May* 18, 1778.

A petition from ſundry inhabitants of the county of Bedford, in the ſtate of Pennſylvania, was read:

Ordered, That it be referred to the board of war.

A letter and petition from David Laird were read:

Ordered, That they be referred to the board of war.

A letter of this day from W. Turnbull was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 15th from W. Bowley was read:

Ordered, That it be referred to the committee of commerce.

A letter of the 16th from the board of war was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Carroll, Mr. J. B. Smith and Mr. G. Morris.

A letter

A letter of April 26th from governor Caſwell, of North-Carolina, was read, informing that the two houſes of aſſembly of that ſtate have unanimouſly acceded to the confederation.

A petition from Jacob Gerhard Dericks was read, praying to be honoured with a colonel's commiſſion.

Ordered, to lie on the table.

A letter of the 11th from Thomas Smith, of Bedford county, to James Smith, eſquire, delegate for Pennſylvania, was laid before Congreſs and read:

Ordered, That it be referred to the board of war, and that they be authoriſed, in conjunction with general Waſhington, to take ſuch meaſures for affording preſent relief to the weſtern frontiers as can be adopted, conſiſtent with the preſent ſtate of the main army.

The committee lately ſent to Camp laid before Congreſs a plan for regulating the army:

Ordered, That to-morrow be aſſigned for taking the ſame into conſideration.

A letter of March 26th from the board of war of the ſtate of Maſſachuſetts-Bay, with an extract of a letter of the 30th from Mr. Gardoqui and Sons, at Bilboa, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. G. Morris, Mr. Carroll and Mr. Gerry.

A petition from ſundry German officers, in the ſervice of the United States of America, was read; whereupon

Reſolved, That the reverend Mr. Henry Miller be appointed chaplain to the Germans in the main army; and that he be allowed the pay and privileges of a brigade chaplain without being confined to any particular brigade.

Adjourned to nine o'clock to-morrow.

TUESDAY, *May* 19, 1778.

A letter of the 18th from the executive council of Pennſylvania, incloſing a copy of a letter of the 14th from Samuel Hunter, lieutenant of the county of Northumberland, was read:

Ordered, That it be referred to the board of war.

The board of war, to whom was referred the petition from major de Bois, report as their opinion, "that the reſignation of major de Bois be accepted, agreeable to his petition,

petition, and that a ſum of money, the quantum of which to be ſettled by the board of treaſury, ſhould be allowed him to defray his expences back to France:

Ordered, That the ſaid report, with the petition of major de Bois, be referred to the board of treaſury.

The committee on the treaſury brought in a report; whereupon

Ordered, That ten thouſand dollars be paid to Thomas M'Kean, eſquire, to be by him forwarded to his excellency Cæſar Rodney, preſident of the ſtate of Delaware, for the recruiting ſervice; for which the ſtate is to be charged.

Reſolved, That Mr. Joſeph Trumbull, late commiſſary general, be informed of the diſpoſition of Congreſs not to grant money to ſuch perſons as, having been officers of the United States, are now out of office, until they ſhall have accounted for the public money which ſhall have been previouſly advanced to them reſpectively.

The board of war, to whom the letter from general Waſhington, reſpecting lieutenant colonel Derick, was referred, report,

"That the board concur in opinion with general Waſhington, as to the inexpediency of complying with lieutenant colonel Derick's requeſt to be appointed commandant of an independent corps, and therefore that his petition be diſmiſſed:"

Reſolved, That Congreſs agree to the ſaid report.

The board of war, to whom was referred the memorial from the general aſſembly of Pennſylvania, relative to forts built in Weſtmoreland, &c. report,

"That they have been informed that brigadier Hand directed the lieutenants of the two weſtern counties to take other poſts, at which to ſtation the militia, than thoſe mentioned in the memorial of the aſſembly—that the lieutenants only partially complied with his directions, and inſtead of fulfilling them built the forts at Ligonier and Hanna's-Town—that however, as the board are not ſufficiently acquainted with the circumſtances to judge whether the forts are ſo ſituated as to anſwer only a local, inſtead of a general purpoſe, or whether they are properly conſtructed, if the poſts are well choſen, it is impoſſible to furniſh Congreſs with a final report on the ſubject—that as brigadier Hand is recalled from the command, his ſucceſſor will judge between him and the lieutenants of the counties, whom the board preſume to have had the beſt

beſt intentions, but think it by no means proper to encourage any thing which has the appearance of being done in oppoſition to the orders of the commanding continental officer, unleſs weighty and ſpecial reaſons can be aſſigned :" whereupon

Reſolved, That a copy of the memorial from the aſſembly of Pennſylvania, relative to the forts built at Ligonier and Hanna's-Town in the ſaid ſtate, by the inhabitants of the adjacent county, be tranſmitted to the commanding officer at Fort-Pitt, and if he ſhall be of opinion that the poſts are neceſſary for the general defence of the frontiers or to ſecure the communication with that fort, the plans proper, and the works ſufficiently well done, ſo as to be durable and of military uſe, that he appoint proper perſons to examine the accounts of the expences of building thoſe forts, laying in proviſions, and paying the perſons neceſſarily employed at thoſe poſts—that the accounts ſo examined be certified, with the vouchers, to the board of treaſury, accompanied with the opinion on the whole of the general officer commanding at Fort Pitt.

The committee to whom was referred the letter from major general Mifflin report, That they have had a conference with general Mifflin and the auditor general upon the ſubject of the ſaid letter, and having heard general Mifflin's obſervations upon his peculiar ſituation as quartermaſter general, and his objections to being held ſtrictly to account in caſes where, from the nature of the buſineſs and particular circumſtances attending it, he was incapable of direct agency and the neceſſary ſuperintendance—that the committee delivered to him and to the auditor general their opinion, that the great ſervants of the public are generally to be accountable ; that if, in the courſe of adjuſting the public accounts, deficiencies ſhall appear, Congreſs will, in every ſpecial caſe, determine upon the circumſtances as they ariſe, whether the party ſhall or ſhall not be diſcharged—that the committee had no doubt, but ſuch favourable allowances would be made as juſtice ſhould require ; but that Congreſs could not, conſiſtent with their duty to the United States, by any general reſolutions, hold up the maxim that payment of money to deputies or aſſiſtants in a department ſhould diſcharge the principal :

Reſolved, That Congreſs agree to the ſaid report.

The

The committee to whom was referred the report of the board of war, reſpecting an allowance to officers on parole, brought in a report; whereupon

Congreſs came to the following reſolutions:

Whereas Congreſs, by a reſolve paſſed the 19th day of January laſt, determined, that captive officers ſhould receive pay, as well when on parole as when in the enemy's poſſeſſion, for ſo long time as they continue to be officers of the United States, and liable to be called into ſervice upon being releaſed from their captivity: and whereas divers officers have been and may be made priſoners, and continue ſuch beyond the period within which they are liable to be called into ſervice: and as it has been found that ſuch officers, when releaſed on parole, are ſometimes debarred from the purſuit of their former employments, or being liable always to be recalled into captivity at the pleaſure of the enemy, are prevented from entering into ſuch engagements and plans of buſineſs as their neceſſary ſupport demands;

Reſolved, That all officers in the land ſervice of the United States, who have been or ſhall be made priſoners by the enemy, ſhall be intitled to receive their full pay and rations while in the enemy's poſſeſſion, deducting only from their rations ſuch ſupplies as they may have received from the enemy or the commiſſary of priſoners; and that all ſuch officers, when admitted on their parole, ſhall receive their full pay without rations, until they ſhall be exchanged or diſcharged from their parole, or that the general change of circumſtances ſhall render their pay no longer neceſſary for their ſupport, as Congreſs hereafter determine.

A petition from J. Connolly and others, priſoners, was read:

Ordered, That it be referred to the board of war, who are directed to enquire into the facts therein ſet forth and report thereon to Congreſs.

Congreſs took into conſideration a report of the board of treaſury of the 12th; whereupon

Reſolved, That bills of exchange of the following denominations be forthwith ſtruck, under the direction of the board of treaſury, for the payment of intereſt to ſuch holders of loan office certificates as may be entitled to receive it in ſuch bills:

3000 ſets of 12 dollars each, at 5 livres tournois per dollar.	180,000

3000 do.	18 do.	do.	270,000
3000 do.	24 do.	do.	360,000
3000 do.	30 do.	do.	450,000
3000 do.	36 do.	do.	540,000
1000 do.	60 do.	do.	300,000
1000 do.	120 do.	do.	600,000
800 do.	300 do.	do.	1,200,000
400 do.	600 do.	do.	1,200,000
200 do.	1200 do.	do.	1,200,000
18,400			6,300,000

That the bills be drawn upon the commiſſioners of the United States in Paris, ſigned by ſuch perſon or perſons as ſhall hereafter be appointed by Congreſs, and counterſigned and numbered by the commiſſioners of the continental loan-office iſſuing the ſaid bills reſpectively:

That each ſett contain four bills, of the following form;

" Exchange for Dollars, at five Livres
" Tournois per Dollar. No. United
" States of North-America. day of
" 17 .
" AT thirty days ſight of this Bill,
" and not paid, pay to or
" order, Dollars in Livres Tour-
" nois, for intereſt due on Money borrowed
" by the United States.
" To
" of the United States of North-America.
" Counterſigned
" Commiſſioner of the Continental
" Loan-Office in the ſtate of ."

Reſolved, That the board of treaſury be authoriſed to direct the treaſurer from time to time to ſend to the ſeveral commiſſioners of the loan-offices as many of the ſaid bills and of ſuch denominations as the board ſhall judge neceſſary.

A letter

A letter of the 18th from the board of war, and one of the 19th from the board of treaſury, were read:

Ordered to lie on the table.

Congreſs took into conſideration the report of the committee from Camp, relative to a new regulation of the army; to which an amendment was moved as follows:

"1. That each regiment conſiſt of two battalions:

2. That each battalion conſiſt of four companies or centuries, or grand diviſions:

3. That each company, century or grand diviſion, conſiſt of one captain, one captain lieutenant, two lieutenants, one enſign or ſtandard bearer, eight, or at leaſt ſix, ſerjeants, and the ſame number of corporals, one hundred and twenty-eight privates, which is ſixty-four files two deep; two drummers or horn founders; and that each company, century or grand diviſion have a colour or ſtandard:

4. That to each battalion there be one lieutenant colonel, major, adjutant, ſerjeant major, drum major or horn founder major:

5. That the regimentary officers be one colonel, one regimental colour bearer, or enſign major, with an orderly horſeman to attend the colonel; the enſign major to have the rank of lieutenant.

Thus every regiment to conſiſt of 1 colonel, 2 lieutenant colonels, 2 majors, 8 captains, 8 captain lieutenants, 16 lieutenants, 1 enſign major, 8 enſigns, making 46 commiſſioned officers, 64 or at leaſt 48 ſerjeants, the ſame number of corporals, 2 ſerjeants major, 2 drums major, 16 drummers or horn founders, and 1024 privates."

On the queſtion to agree to the ſaid amendment, the yeas and nays being required,

Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	} *no*
	Mr. Lovell,	*no*	
	Mr. Dana,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	} *no*
	Mr. Huntington,	*no*	
	Mr. Wolcott,	*no*	
New-York,	Mr. Duer,	*ay*	} *divided*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. J. B. Smith,	*no*	} *no*
	Mr. James Smith,	*ay*	
	Mr. Clingan,	*no*	

Delaware,

Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Carroll,	*no*	
	Mr. Plater,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. R. H. Lee,	*ay*	*
	Mr. F. L. Lee,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Matthews,	*no*	*no*
	Mr. Hutſon,	*no*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it paſſed in the negative.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *May* 20, 1778.

A letter of this day from captain Herman Courter, who brought a duplicate of diſpatches from France, was read:

Ordered, That the ſame, together with his account, be referred to the board of treaſury.

A letter of this day from colonel F. Johnſton was read:

Ordered, That it be referred to the committee lately at Camp.

A letter of the 13th and one of the 16th from brigadier Wayne, were read:

Ordered, That the ſame be referred to the ſaid committee.

A letter of the 18th from general Waſhington was read:

Ordered, That it be referred to the foregoing committee.

A letter of the 16th from baron Steuben was read.

A letter of the 3d from major general Sullivan, with ſundry papers incloſed, was read:

Ordered, That ſo much of general Sullivan's letter as relates to brigadier Stark be referred to general Waſhington, and that he be informed that brigadier Stark is ordered to the northern department, from which Congreſs do not think proper he ſhould be removed; and that general Waſhington be directed, if he thinks proper, to ſend ſome other brigadier to join major general Sullivan.

Ordered, That the plans incloſed in general Sullivan's letter be referred to the board of war.

A letter of the 13th from governor G. Clinton, of New-York, with ſundry papers incloſed, was read:

Ordered, That it be referred to the board of war.

A petition from Bernard Baxter was read:

Ordered, That it be referred to the board of war, who are directed to report generally thereon.

The

The committee of commerce, to whom was referred the letter of the commiſſioners of the continental loan-office in the ſtate of South-Carolina, brought in a report, which was read:

Ordered, That the ſame, together with the ſaid letter, be referred to the board of treaſury.

Congreſs reſumed the conſideration of the report of the committee lately ſent to Camp, relative to the arrangement of the army, and ſome progreſs being made therein,

Ordered, That the farther conſideration thereof be poſtponed till to-morrow.

Adjourned to nine o'clock to-morrow.

THURSDAY, *May* 21, 1778.

Mr. Samuel Adams, a delegate from Maſſachuſetts-Bay, attended and took his ſeat in Congreſs.

A letter of the 27th and one of the 28th of April, from the council of Maſſachuſetts-Bay, were read:

Ordered, That they be referred to a committee of four;

The members choſen Mr. Ellery, Mr. Dana, Mr. Huntington and Mr. Witherſpoon.

A letter of the 7th from meſſieurs Otis and Andrews, at Boſton, and one of the 20th from Mr. J. Meaſe, were read:

Ordered, That ſo much of the ſame as relates to money be referred to the board of treaſury; and ſo much as relates to putting a ſtop to any further purchaſes of cloathing by agents or commiſſioners appointed by the ſeveral ſtates, be referred to the board of war.

A letter of April 22d from John Lucas was read:

Ordered, That it be referred to the board of war.

A letter of the 19th from the general aſſembly of Pennſylvania, with a petition from ſundry inhabitants on the weſtern frontiers, was read:

Ordered, That the ſame be referred to the board of war.

A letter of April 25th from the council of Maſſachuſetts-Bay, with an account of the expences of that ſtate for priſoners, was read:

Ordered, That the ſame be referred to the board of treaſury.

The

The committee to whom was referred the memorial from divers perſons, late inhabitants of Nova-Scotia, reported.

The committee to whom was referred the letter from colonel F. Johnſton brought in a report; whereupon

Reſolved, That the neceſſary contingent charges of executing the office of commiſſary general of priſoners, be allowed, over and above the preſent pay.

Whereas colonel Johnſton was taken from the line to execute the office of commiſſary general of priſoners, upon an information given to Congreſs that his health would not permit him to continue in the army, and undergo the fatigues of it; and as there is no neceſſary relation between his office and the line,

Reſolved, That colonel Johnſton be permitted to hold his rank, but no command in the line, nor be entitled to receive the ſeven years half-pay lately granted to the military commiſſioned officers.

The committee to whom was referred the letter from brigadier Wayne, brought in a report: whereupon

Reſolved, That the reverend doctor Robert Blackwell be appointed chaplain to the firſt Pennſylvania brigade, commanded by brigadier Wayne.

A letter of April 14th from Thomas White, of the ſtate of Delaware, and an extract of a letter of May 8th from Mr. preſident Rodney, of the ſaid ſtate, both directed to Mr. M'Kean, were laid before Congreſs and read:

Ordered, That the ſame be referred to the committee appointed to provide for the ſafety of, and prevent inſurrections in, the peninſula between Delaware and Cheſapeak Bays.

Mr. Joſiah Bartlett, one of the delegates from New-Hampſhire, attended and produced the credentials of his appointment, which are as follows:

"State of NEW-HAMPSHIRE.

"In the Houſe of Repreſentatives, March 14th, 1778.

"Voted, That the honourable Joſiah Bartlett and John "Wentworth, junior, eſquires, be and hereby are ap- "pointed to ſerve as delegates to repreſent this ſtate in "the Continental Congreſs, for and during the term of "one year from the date hereof, unleſs ſooner recalled; "and that they and each of them, in the abſence of the "other, have full and ample power, in behalf of this

"ſtate,

" ſtate, to conſent and agree to all meaſures which Con-
" greſs ſhall deem neceſſary for the public good.

" Sent up for concurrence,

" JOHN DUDLEY, Speaker, P. Temp.

" In Council the ſame day, read and concurred,

" E. THOMPSON, Secretary.

" Copy atteſted,

" MESHECK WEARE, Preſident."

Reſolved, That major general Mifflin have leave to join the army under the command of general Waſhington.

The committee to whom was referred the letter of the 11th from general Waſhington, incloſing a copy of a letter of the 10th from general Howe, reſpecting the exchange of priſoners, report,

" That the propoſitions of general ſir William Howe, for an exchange of priſoners, in his letter of May the 10th, appear ſo ambiguouſly expreſſed and ſo liable to miſconception, that in their opinion it is expedient that Congreſs ſhould on their part make propoſals for an exchange on principles of equality, and expreſſed in clear and explicit terms :" whereupon

Reſolved, That general Waſhington be deſired to inform general Sir William Howe, that Congreſs, ever anxious to alleviate the calamities of war, are willing to make an exchange of priſoners, on the following principles, viz.

That an exchange be made of all officers in the poſſeſſion of either party, whether on parole or otherwiſe, as far as rank and number will apply :

That as general ſir William Howe has the power of exchanging the officers made priſoners under the convention of Saratoga, Congreſs cannot think of agreeing to an enquivalent in privates for officers, but are willing to extend this exchange to the officers of general Burgoyne's army :

That an exchange, as far as numbers will apply, be made of all ſoldiers in the actual poſſeſſion of either party ; and alſo of all, who having been releaſed on parole are, in the opinion of general Waſhington, proper objects of exchange :

That the officers and ſoldiers ſo to be exchanged be mutually delivered at ſuch places in the ſtates of Rhode-Iſland, New-York and Pennſylvania, and at ſuch periods of time, as the ſaid generals may determine on :

That

That in caſe the propoſed exchange ſhould unhappily not take place, general Waſhington be directed to inform general ſir William Howe, that Congreſs expect that he will, from a regard to the priſoners in the power of theſe ſtates, take effectual meaſures, that the American priſoners may not ſuffer any diſtreſſes from the approaching hot ſeaſon, which it is in his power to prevent, as the preſent poſſeſſion of Long-Iſland and Rhode-Iſland afford him an opportunity of extending humanity towards priſoners, without a breach of duty to the power under which he acts.

Adjourned to nine o'clock to-morrow.

FRIDAY, *May* 22, 1778.

The board of war brought in a report; whereupon

Reſolved, That it be recommended to the legiſlatures of the reſpective ſtates to enact laws for exempting from militia duty all perſons who have deſerted or ſhall hereafter deſert from the Britiſh army or navy during the preſent war:

That it be further recommended to the legiſlatures of the reſpective ſtates to diſqualify by law all priſoners and deſerters from acting as ſubſtitutes in the militia during the preſent war, to render all ſuch contracts void, and to authoriſe any priſoner or deſerter, who may be engaged as a ſubſtitute, to appropriate to his own uſe all monies by him received on ſuch agreement.

On the recommendation of brigadier Muhlenberg,

Reſolved, That the reverend Mr. Alexander Balmain be and he hereby is appointed chaplain to the brigade commanded by brigadier Muhlenberg.

The committee to whom were referred the letters of the 24th and 27th of April from major general Heath, incloſing a letter from John Morriſon, a commiſſary in the Britiſh ſervice, brought in a report; whereupon

Reſolved, That Congreſs approve of major general Heath's conduct relative to the propoſals made by major general Pigot for ſupplying with proviſions the troops who ſurrendered priſoners under the convention of Saratoga:

That the preſident be directed to inform major general Heath, that Congreſs expect that all aſſiſtance afforded to the enemy in unloading, ſtoring or tranſporting proviſions for the ſupport of the convention priſoners, be

be paid for in ſolid coin, agreeably to the ſpirit of their reſolution of the 19th of December laſt.

Congreſs took into conſideration the report of the committee on the rules for the better conducting the buſineſs of Congreſs; and ſome progreſs being made therein,

Ordered, That the farther conſideration thereof be poſtponed.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on John Lawrence, eſquire, commiſſioner of the loan-office in the ſtate of Connecticut, in favour of James Stevenſon, eſquire, one of the commiſſioners of accounts for the middle department, for one thouſand and eighty-one dollars, it being the balance of his pay from July 26th, 1776, to the 4th inſtant:

Ordered, That ſo much of the report as relates to meſſieurs Otis and Andrews be re-committed.

Reſolved, That five millions of dollars be emitted under the direction of the board of treaſury, and upon the faith of the United States:

That the bills ſhall, excepting the numbers, be of the ſame tenor and date as the emiſſion directed on the eleventh day of April laſt, and be numbered from the laſt number of each reſpective denomination progreſſively, and conſiſt of the following denominations, viz.

41667	bills of	40	dollars, - -	1666680
41667	do.	30	do. - -	1250010
41666	do.	20	do. - - -	833320
41666	do.	8	do. - -	333328
41666	do.	7	do. - - -	291622
41667	do.	6	do. - -	250002
41666	do.	5	do. - - -	208330
41667	do.	4	do. - -	166668
				5,000,000

That all the powers and duties of Michael Hillegas, eſquire, and of the inſpectors of the preſs, ſigners and printers of the emiſſion of the 20th day of May, 1777, ſhall extend to the ſaid five millions of dollars now to be emitted, ſubject however to ſuch directions and inſtructions as the board of treaſury may judge expedient.

Ordered, That two hundred and forty thouſand dollars be advanced to William Buchanan, eſquire, late commiſ-

ſary general of purchaſes, for the uſe of the middle diſtrict; for which he is to be accountable.

A letter of the 2d from governor Caſwell, of North-Carolina, with ſundry papers incloſed, was read:

Ordered, That the ſame be referred to the committee on the letter from captain Cottineau.

Adjourned to nine o'clock to-morrow.

SATURDAY, *May* 23, 1778.

A letter of the 22d from colonel F. Johnſton was read, informing, that as it never was his wiſh to give up his rank in the line, he therefore begs leave to decline the acceptance of his late appointment of commiſſary general of priſoners; whereupon

Reſolved, That he have leave to decline the ſaid appointment.

A letter of the 7th from John James Doerner, junior, at Edenton, in North-Carolina, was read:

Ordered, That it be referred to the board of treaſury.

The board of war, to whom was referred the letter of the 17th from John Connolly and others, priſoners, brought in a report, which was read; whereupon

Congreſs paſſed the following:

Whereas it appears probable that attempts are making to miſrepreſent the conduct of theſe United States towards the priſoners in their poſſeſſion, in ſome degree to wipe off or counterbalance the juſt reproach that has fallen upon our enemies for their barbarity:

Ordered, That the letters from John Connolly and others, dated York Jail, May 17th, 1778, together with the report of the board of war upon it, be publiſhed.

The committee on the treaſury brought in a report; whereupon

Ordered, That fifty thouſand dollars be advanced to the marine committee, to be by them tranſmitted to the navy board at Boſton, for the uſe of the navy in the eaſtern diſtrict; the ſaid marine committee to be accountable.

Ordered, That Mr. Scudder have leave of abſence.

Adjourned to nine o'clock on Monday.

MONDAY, *May* 25, 1778.

On a recommendation of colonel F. Johnſton,

Reſolved, That the reverend David Jones be and he is appointed chaplain to the brigade of Pennſylvania troops commanded by colonel Johnſton. A letter

A letter of the 6th from governor Caſwell was read:

Ordered, That the ſame, together with a reſolve of the general aſſembly of North-Carolina, impowering the governor of that ſtate to draw for five hundred thouſand dollars, and an act for raiſing men to compleat the continental battalions of that ſtate, which were incloſed in the governor's letter of the 2d, be referred to the committee lately ſent to Camp.

A letter of March 20th from governor Houſton of Georgia, with ſundry reſolves of the aſſembly of that ſtate incloſed, was read:

Ordered, That the ſame be referred to the foregoing committee.

A letter of the 4th from major general Heath, incloſing an invoice of ſpecie ſent forward, was read:

Ordered, That the ſame be referred to the board of treaſury.

A letter of the 15th from Mr. Aylett, deputy commiſſary general of purchaſes, with ſundry papers incloſed, was read:

Ordered, That they be referred to the committee of commerce.

A letter of the 15th from governor Henry of Virginia, was read.

The committee on the treaſury, to whom was re-committed the report reſpecting meſſieurs Otis and Andrews, brought in another report; whereupon

Ordered, That one hundred and fifty thouſand dollars be advanced to James Meaſe; and that a warrant for five hundred thouſand dollars be drawn in his favour on the commiſſioner of the loan-office in the ſtate of Maſſachuſetts Bay, both which ſums are to be by him immediately tranſmitted to his agents, meſſieurs Otis and Andrews, of Boſton, for the uſe of the cloathier general's department, who is to be accountable:

That Mr. Nourſe, paymaſter of the board of war and ordnance, receive the money from the treaſurer, and tranſmit it, with the warrant on the loan-office, to Mr. Meaſe, with a copy of this order.

A motion being made for putting a ſtop to the farther purchaſe of cloathing,

Ordered, That it be referred to a committee of three;

The members choſen Mr. Witherſpoon, Mr. Sherman and Mr. F. L. Lee.

A letter

A letter of this day from lieutenant colonel Carrington, of colonel Harriſon's regiment of artillery, was read, incloſing a liſt of the officers of the ſaid regiment:

Ordered, That the ſame be referred to the board of war.

A motion being made for obtaining and filing at the board of war copies of military commiſſions,

Ordered, That it be referred to a committee of three;

The members choſen Mr. Baniſter, Mr. G. Morris and Mr. Dana.

Reſolved, That the auditor, together with Mr. Milligan, one of the commiſſioners of claims, be authoriſed and directed to examine and paſs upon the accounts of doctor Iſaac Forſter, deputy director general of the eaſtern department.

The committee on the treaſury brought in a report; whereupon

Reſolved, That general Heath be directed to pay, in continental currency, to brigadier Glover, the ſum that ſhall appear to be due to him on account, for purchaſing proviſions and other articles for the priſoners of the convention of Saratoga, whilſt on their march from that place to Boſton, and for guards attending the ſaid priſoners.

Reſolved, That the warrant drawn by the preſident of Congreſs the 2d of February laſt on Joſeph Clarke, eſquire, commiſſioner of the loan-office in the ſtate of Rhode-Iſland and Providence Plantations, in favour of Ebenezer Hancock, eſquire, deputy paymaſter general for the eaſtern diſtrict, and by him returned, be cancelled, and the entries thereof in the treaſury book reverſed.

Reſolved, That a committee of three be appointed to report a plan for filling up the continental battalions by recruits, to be inliſted to ſerve during the war;

The members choſen Mr. Duer, Mr. Drayton and Mr. G. Morris.

A letter of this day from E. Blaine, eſquire, deputy commiſſary general, was read:

Ordered, That it be referred to the committee lately at Camp.

A motion being made for paying the New-Jerſey militia,

Ordered, That it be referred to a committee of three;

The members choſen Mr. G. Morris, Mr. Witherſpoon and Mr. Drayton.

Adjourned to nine o'clock to-morrow.

TUESDAY,

TUESDAY, *May* 26, 1778.

Reſolved, That the quartermaſter general be directed to furniſh baron Steuben with two good horſes for his uſe.

A petition from Moſes Black was read, praying, in behalf of William Woolſey and the owners of the private armed ſchooner Harlequin, that an action be commenced at the inferior court of common pleas in the county of Providence in the ſtate of Rhode-Iſland, &c. touching the capture of a certain prize ſloop, may be referred to the court of appeals, for their deciſion thereon:

Ordered, That it be diſmiſſed.

The board of war, to whom the application of baron Boſe was referred, brought in a report; whereupon

Reſolved, That the ſum of five hundred dollars be paid to baron Boſe, as a compenſation for his ſufferings in the cauſe of the United States.

The committee to whom was referred the letters from Mr. preſident Lowndes, major general Howe, and brigadier Moultrie, brought in a report:

Ordered to lie on the table.

Mr. Elmer, a delegate from the ſtate of New-Jerſey, and Mr. Roberdeau, a delegate from Pennſylvania, attended and took their ſeats in Congreſs.

Congreſs reſumed the conſideration of the rules for the better conducting buſineſs, when the following were agreed to:

1. As ſoon as nine ſtates are repreſented in the houſe, Congreſs may proceed to buſineſs.

2. In determining queſtions in Congreſs each ſtate ſhall have one vote.

3. No member ſhall read any printed paper in the houſe during the ſitting thereof, without leave of Congreſs.

4. No member ſhall ſpeak to another or otherwiſe interrupt the buſineſs of the houſe while the journals or public papers are reading for the information of Congreſs, or when any member is ſpeaking in any debate.

5. Every member, when he ſpeaks, ſhall riſe from his ſeat and addreſs himſelf to the chair, and when he has finiſhed, ſhall ſit down again.

6. No member ſhall ſpeak more than twice in any one debate on the ſame day without leave of the houſe.

7. When two members riſe together, the preſident ſhall name the perſon to ſpeak.

8. No motion ſhall be debated until the ſame be ſeconded.

9. When

9. When a motion ſhall be made and ſeconded it ſhall be reduced to writing, if deſired by the preſident or any member, delivered in at the table and read by the preſident, before the ſame ſhall be allowed to be debated.

10. While a queſtion is before the houſe, no motion ſhall be received, unleſs for an amendment, for the previous queſtion, to poſtpone the conſideration of the main queſtion, or to commit it.

11. If a queſtion in debate contains ſeveral points, any member may have the ſame divided.

12. When a queſtion is about to be put it ſhall be in the power of any one of the ſtates to poſtpone the determination thereof until the next day, after which it ſhall not be again poſtponed, but by order of the houſe.

13. The previous queſtion (that is that the main queſtion be not now put) being moved, the queſtion from the chair ſhall be that thoſe who are for the previous queſtion ſay ay, and thoſe againſt it, no; and if there be a majorityof ayes, then the main queſtion ſhall not be then put, but otherwiſe it ſhall.

14. Each member preſent ſhall declare openly and without debate his aſſent or diſſent to a queſtion by ay or no, when required by motion of any one member, whoſe name ſhall be entered as having made ſuch motion previous to the preſident's putting; the name and vote in ſuch caſes ſhall be entered on the journals, and the majority of votes of each ſtate ſhall be the vote of that ſtate.

15. No ballot ſhall be counted for the appointment of any perſon to an office of truſt or profit who has not been nominated to the houſe on a day previous to the balloting being entered into, except by conſent of all the ſtates preſent.

16. Every morning the minutes of the preceding day ſhall be read, before Congreſs enter on new buſineſs.

17. Every morning, after the reading of the public letters and giving orders concerning them, the reports of the board of treaſury and of the board of war, if any, ſhall be immediately taken into conſideration.

18. No member ſhall leave Congreſs without permiſſion of Congreſs or of his conſtituents.

A memorial from the field officers now priſoners on parole on Long-Iſland, in behalf of themſelves and at the particular

particular joint requeſt of their brethren in like ſituation, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. R. H. Lee, Mr. S. Adams and Mr. Duer.

A letter of the 9th and one of the 11th from general Schuyler were read, the latter containing Indian intelligence:

Ordered, That the letter of the 11th, with the papers incloſed, be referred to the board of war.

A petition from John Sherman was read:

Ordered, That it be referred to the board of war.

A letter of the 18th from general Conway was read:

Ordered to lie on the table.

Congreſs reſumed the conſideration of the report of the committee on the arrangement of the army; and after ſome time ſpent,

Reſolved, That the further conſideration thereof be poſtponed till to-morrow.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *May* 27, 1778.

A letter of the 14th from Peter Boyer was read, informing that the ſituation of his family and private affairs obliges him to decline accepting the truſt of auditor of accounts in the northern diſtrict, to which Congreſs has been pleaſed to appoint him.

A letter of the 15th from William Greene, eſquire, governor of Rhode-Iſland, &c. was read, informing Congreſs of his being elected to that office.

A letter of the 20th from governor Livingſton, and one of the 24th from general Waſhington, were read, the latter incloſing a memorial from the field officers of the North-Carolina battalions, reſpecting captain Vanie:

Ordered, That the letter from general Waſhington, with the papers incloſed, be referred to a committee of three;

The members choſen Mr. Drayton, Mr. M'Kean and Mr. Huntington.

Reſolved, That Mr. Bartlett for New-Hampſhire, Mr. S. Adams for Maſſachuſetts-Bay, in room of Mr. Dana, Mr. G. Morris, for New-York, in room of Mr. Livingſton, Mr. Drayton for South-Carolina, in room of Mr. Laurens, be appointed members of the marine committee.

The

The committee on Indian affairs, to whom was referred an extract of a letter of April the 10th from colonel Morgan brought in a report, which was read:

Ordered, That it be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That ſeven hundred dollars be advanced to Mr. J. Henry, delegate from Maryland, on his application; the ſaid ſtate to be accountable:

Ordered, That two hundred thouſand dollars be paid to Mr. J. Nourſe, paymaſter to the board of war and ordnance, to be by him tranſmitted to William Palfrey, eſquire, paymaſter general, for the uſe of his department; who is to be accountable:

Ordered, That twenty-four thouſand dollars be paid to Mr. J. Nourſe, paymaſter to the board of war and ordnance, on the application of the ſaid board; it being the remainder of the ſum to be advanced agreeably to a reſolution of Congreſs of the 6th of April laſt, and to be by him tranſmitted to brigadier count Pulaſki, to compleat the raiſing and equipping his legion; the ſaid brigadier count Pulaſki to be accountable.

Congreſs reſumed the conſideration of the report of the committee on the arrangement of the army, which was agreed to, as follows:

ESTABLISHMENT OF THE AMERICAN ARMY.

I. INFANTRY.

Reſolved, That each battalion of infantry ſhall conſiſt of nine companies, one of which ſhall be of light infantry; the light infantry to be kept compleat by drafts from the battalion, and organized during the campaign into corps of light infantry:

That the battalian of infantry conſiſt of

			Pay per month.
Commiſſioned.	1 Colonel and Captain,	- -	75 dollars.
	1 Lieutenant Colonel and Captain,	-	60
	1 Major and Captain,	- -	50
	6 Captains,	each	40
	1 Captain Lieutenant,	- -	26 2-3ds.
	8 Lieutenants,	each	26 2-3ds.
	9 Enſigns.	each	20
			Paymaſter,

Paymaſter,	to be taken from the line.	20 dol.	In addition to their pay as officers in the line.	
Adjutant,		13		
Quart. maſter,		13		
1 Surgeon,				60 dollars.
1 Surgeon's Mate,				40
1 Serjeant Major,				10
1 Quartermaſter Serjeant,				10
27 Serjeants,		each,		10
1 Drum Major,				9
1 Fife Major,				9
18 Drums and Fifes,		each,		7 1-3d.
27 Corporals,		each,		7 1-3d.
477 Privates,		each,		6 2-3ds.

Each of the field officers to command a company.

The Lieutenant of the Colonel's company to have the rank of Captain Lieutenant.

II. ARTILLERY.

That a battalion of artillery conſiſt of

			Pay per month.
Commiſſioned.	1 Colonel,		100 dollars.
	1 Lieutenant Colonel,		75
	1 Major,		62 1-half.
	12 Captains,	each	50
	12 Captain Lieutenants,	each	33 1-3d.
	12 Firſt Lieutenants,	each	33 1-3d.
	36 Second Lieutenants,	each	33 1-3d.

Paymaſter,	to be taken from the line.	25 dol.	In addition to their pay as officers in the line.	
Adjutant,		16		
Quart. maſter,		16		
1 Surgeon,				75 dollars.
1 Surgeon's Mate,				50
1 Serjeant Major,				11 23-90ths.
1 Quartermaſter Serjeant,				11 23-90ths.
1 Fife Major,				10 38-90ths.
1 Drum Major,				10 38-90ths.
72 Serjeants,		each		10
72 Bombardiers,		each		9
72 Corporals,		each		9
72 Gunners,		each		8 2-3ds.
24 Drums and Fifes,		each		8 2-3ds.
336 Matroſſes,		each		8 1-3d.

III. CAVALRY.

That a battalion of Cavalry consist of

			Pay per month. Dollars.
Commissioned:	1 Colonel,		93 3-4ths.
	1 Lieutenant Colonel,		75
	1 Major,		60
	6 Captains,	each	50
	12 Lieutenants,	each	33 1-3d.
	6 Cornets,	each	26 2-3ds.
	1 Riding Master,		33 1-3d.
Paymaster, Adjutant, Quart. master,	to be taken from the line.	25 dol. 15 15	In addition to their pay as officers in the line.
	1 Surgeon,		60 dollars.
	1 Surgeon's Mate,		40
	1 Sadler,		10
	1 Trumpet Major,		11
	6 Farriers,	each	10
	6 Quart. master Serj.	each	15
	6 Trumpeters,	each	10
	12 Serjeants,	each	15
	30 Corporals,	each	10
	324 Dragoons,	each	8 1-3d.

IV. PROVOST.

Resolved, That a Provost be established, to consist of

		Pay per month.
1 Captain of Provosts,		50 dollars.
4 Lieutenants,	each	33 1-3d.
1 Clerk,		33 1-3d.
1 Quartermaster Serjeant,		15
2 Trumpeters,	each	10
2 Serjeants,	each	15
5 Corporals,	each	10
43 Provosts or Privates,	each	8 1-3d.
4 Executioners,	each	10

This corps to be mounted on horseback, and armed and accoutred as light dragoons.

Resolved, That in the engineering department three companies be established, each to consist of

		Pay per month.
1 Captain,		50 dollars.
3 Lieutenants,	each	33 1-3d.
4 Serjeants,	each	10
4 Corporals,	each	9
60 Privates,	each	8 1-3d.

These companies to be inſtructed in the fabrication of field works as far as relates to the manual and mechanical part. Their buſineſs ſhall be to inſtruct the fatigue parties to do their duty with celerity and exactneſs: to repair injuries done to the works by the enemy's fire, and to proſecute works in the face of it. The commiſſioned officers to be ſkilled in the neceſſary branches of the mathematics: the non-commiſſioned officers to write a good hand.

Reſolved, That the adjutant and quartermaſter of a regiment be nominated by the field officers out of the ſubalterns, and preſented to the commander in chief or the commander in a ſeparate department for approbation; and that being approved of, they ſhall receive from him a warrant agreeable to ſuch nomination.

That the paymaſter of a regiment be choſen by the officers of the regiment out of the captains or ſubalterns, and appointed by warrant as above: the officers are to riſque their pay in his hands: the paymaſters to have the charge of the cloathing, and to diſtribute the ſame.

Reſolved, That the brigade major be appointed as heretofore by the commander in chief, or commander in a ſeparate department, out of the captains in the brigade to which he ſhall be appointed.

That the brigade quartermaſter be appointed by the quartermaſter general, out of the captains or ſubalterns in the brigade to which he ſhall be appointed.

Reſolved, That two aids-de-camp be allowed to each major general, who ſhall for the future appoint them out of the captains or ſubalterns.

Reſolved, That in addition to their pay as officers in the line there be allowed to

An Aid-de Camp,	24 dollars per month.
Brigade Major,	24
Brigade Quartermaſter,	15

Reſolved, That when any of the ſtaff officers appointed from the line are promoted above the ranks in the line out of which they are reſpectively appointable, their ſtaff appointments ſhall thereupon be vacated. The

The preſent aids-de-camp and brigade majors to receive their preſent pay and rations.

Reſolved, That aids-de-camp, brigade majors, and brigade quartermaſters, heretofore appointed from the line, ſhall hold their preſent ranks and be admiſſible into the line again in the ſame rank they held when taken from the line; provided that no aid, brigade major, or quartermaſter, ſhall have the command of any officers who commanded him while in the line.

Reſolved, That whenever the adjutant general ſhall be appointed from the line, he may continue to hold his rank and commiſſion in the line.

Reſolved, That when ſupernumerary lieutenants are continued under this arrangement of the battalions, who are to do the duty of enſigns, they ſhall be entitled to hold their rank and receive the pay ſuch rank entitled them to receive.

Reſolved, That no more colonels be appointed in the infantry; but where any ſuch commiſſion is or ſhall become vacant, the battalion ſhall be commanded by a lieutenant colonel, who ſhall be allowed the ſame pay as is now granted to a colonel of infantry, and ſhall riſe in promotion from that to the rank of brigadier: and ſuch battalion ſhall have only two field officers, viz. a lieutenant colonel and major, but it ſhall have an additional captain.

Adjourned to nine o'clock to-morrow.

THURSDAY, *May* 28, 1778.

A letter of the 27th from brigadier Weedon was read; whereupon

A motion was made for committing it: but on motion

Reſolved, That the conſideration thereof be poſtponed.

In conſequence of an adjuſtment by the auditor general and commiſſioners of claims,

Ordered, That eleven hundred and forty-five dollars and 78-90ths, be paid to captain John Folger, being the balance of his account for his ſervice and expences from October 21ſt, 1777, to June 1ſt, 1778.

A report from the board of war being read,

Reſolved, That major Henry Lee's corps of partizan light dragoons conſiſt of three, inſtead of two, troops:

That thoſe troops be formed on the old eſtabliſhment, with the uſual allowance of officers; and that thoſe wanted

ted in addition to the preſent officers in the corps be appointed by general Waſhington, who is alſo authoriſed to appoint a proper perſon to act as quartermaſter to the corps, with the rank of cornet.

The committee to whom was referred a motion reſpecting the cloathier general's department, brought in a report; whereupon

Reſolved, That all further purchaſes of cloathing, on account of the United States, by the cloathier general, his deputies or agents, be forthwith ſuſpended; and that they be directed immediately to prepare and bring in their accounts to the board of treaſury, to be liquidated and ſettled.

Reſolved, That the hides belonging to the United States be applied towards furniſhing the army with ſhoes, as heretofore, under the direction of the board of war; and that the ſaid board do purchaſe or cauſe to be purchaſed ſhoes, ſtockings and linen for the uſe of the continental army, until the cloathing department ſhall be properly arranged and organized.

The committee on the treaſury brought in a report; whereupon

Ordered, That ſixteen thouſand dollars be advanced to the marine committee, to be by them paid to William Smith, eſquire, of Baltimore, on account of flour and iron he has purchaſed for the uſe of the navy in the eaſtern department; the ſaid committee to be accountable:

That ſeven hundred and fifty-five dollars and 42 90ths be advanced to the committee of commerce, to enable them to pay Andrew and James Caldwell the freight of ſundry medicines imported in their ſloop from Martinico, on public account; the ſaid committee to be accountable.

Congreſs proceeded to the election of a commiſſary general of priſoners, and the ballots being taken,

Major John Beatty was elected.

Congreſs proceeded to the election of a ſecretary to the board of war and ordnance, and the ballots being taken,

Captain Robert Smith was elected.

Reſolved, That until the ſecretary of the board of war and ordnance be duly qualified and enter upon the execution of his office, all military commiſſions be atteſted by the ſecretary of Congreſs.

The

The committee to whom was referred the letter of the 18th from general Washington brought in a report; whereupon

Ordered, That all the linen, shirts, stockings, shoes and blankets, lately imported on account of these United States, now in Boston, Portsmouth or in any other places in the state of Massachusetts-Bay or New-Hampshire, in whose hands soever the same may be, be immediately sent forward to the cloathier general or his order, to be by him delivered out, if necessary, for the use of the main army; and that the other articles of imported cloathing only, whether they should have been delivered out to any persons in the cloathing department or others or not, be removed with all convenient speed to Springfield, in the county of Hampshire in the state of Massachusetts-Bay, there to be stored if practicable under the constant care of a suitable store-keeper, who shall see that they be properly aired and otherwise attended to, so that they receive no damage by being stored; and the person or persons in whose care the same cloathing shall be, is hereby strictly forbidden to deliver out any part of the same without the special order of Congress or the board of war.

If the last mentioned cloathing cannot all be conveniently stored in Springfield, that then the residue be stored at Worcester in the same state, in like manner and subject to the same directions as that part which may be stored at Springfield. The packages are to be carefully preserved for future transportation.

Ordered, That the board of war attend to and give proper directions for the punctual execution of the foregoing order.

Congress being informed that cloathing and other articles imported into Massachusetts-Bay, on account of the United States, have been delivered partly to the navy board in the eastern district, partly to the board of war of that state, and partly to the continental agent there, and that parcels thereof have been issued by the said navy board without the order of Congress, committee of commerce, or of the board of war, from all which great confusion, misapplication and waste may ensue: therefore

Ordered, That for the future all such importations, where not otherwise directed, be delivered into the hands of

of the continental agent or his order only; and the ſaid agent is hereby ſtrictly forbidden to deliver out any part thereof, without the ſpecial order of Congreſs, the board of war and ordnance, or the committee of commerce.

Adjourned to nine o'clock to-morrow.

FRIDAY, *May* 29, 1778.

A memorial from William Tiſdale, eſquire, judge of the court of admiralty for the ſtate of North Carolina, and John Cooke, eſquire, proctor and advocate in the ſaid court, in behalf of John Cochran, Cornelius Amble, Iſaac M'Key and Nathaniel Moore, was read, ſetting forth that the ſaid John Cochran, &c. brought into that port and libelled in the court of admiralty a ſloop called the Tryal, which was condemned in the ſaid court, and two thirds of the net proceeds adjudged to the uſe of the United States, and the other third to the uſe of the libellants, and praying, for ſundry ſpecial reaſons therein ſet forth, that the two thirds adjudged to the uſe of the United States may be given up to the uſe of the ſaid libellants:

Reſolved, That the prayer of the ſaid memorial be granted.

Reſolved, That the cloathier general and his agents continue to make up and iſſue the cloathing which they have already purchaſed and now have in their ſtores, any thing in the reſolution of the 28th inſtant to the contrary notwithſtanding.

Reſolved, That a committee of four be appointed to report a plan for regulating continental expreſſes, and to enquire into and rectify abuſes in the general poſt-office;

The members choſen Mr. R. H. Lee, Mr. S. Adams, Mr. Witherſpoon and Mr. Drayton.

Congreſs reſumed the conſideration of the report of the committee lately ſent to Camp, relative to the eſtabliſhment of the army; whereupon

Ordered, That ſo much thereof as relates to rations be re-committed.

Congreſs took into conſideration the report of the committee on governor Caſwell's letter; whereupon

Reſolved, That the non-commiſſioned officers and other men belonging to the battalions of the ſtate of North-Carolina, now in Camp, be forthwith reduced and formed by the commander in chief into as many battalions as they

they will compleat, according to the number compoſing the old battalions; and that ſuch new-formed battalions be officered agreeably to the new arrangement of the battalions; and that all the ſupernumerary officers be immediately ordered to return to the ſtate of North-Carolina, to officer the men raiſed by that ſtate to compleat their quota of the continental battalions, there to remain till the further order of Congreſs.

Reſolved, That the ſtate of North-Carolina be required to fill up four battalions, and no more, upon the new eſtabliſhment, in addition to thoſe now in Camp, and to officer the ſame with ſuch of their continental officers as may be ordered from Camp as ſupernumeraries of the battalions there, or as are within the ſtate of North-Carolina, or with ſuch other perſons as they ſhall think proper; and that the ſaid four battalions remain within the ſtate of North-Carolina, at ſuch places as the governor ſhall direct, until the farther order of Congreſs:

Reſolved, That the officers, who have been appointed by the ſaid ſtate of North-Carolina to battalions raiſed by that ſtate, and who ſhall not be annexed either to their battalions in Camp or to one of the ſaid four battalions, ſhall not be conſidered in the ſervice of theſe United States, but as diſmiſſed therefrom.

Reſolved, That one hundred thouſand dollars be paid to captain Reading Blount, in lieu of governor Caſwell's draught for five hundred thouſand dollars, made in purſuance of a reſolution of the general aſſembly of the ſtate of North-Carolina; the ſaid ſtate to be accountable.

Congreſs took into conſideration the report of the committee on the letters from Mr. preſident Lowndes, and from generals Howe and Moultrie; whereupon

Reſolved, That an immediate enquiry be made what ſtores are now in the ſtate of South-Carolina belonging to the United States; and that for this purpoſe the commanding officer of the troops and the continental agent in that ſtate be required to tranſmit to Congreſs a full and proper account of the ſame; and that the preſident of that ſtate be requeſted to forward this buſineſs by his countenance and authority.

Reſolved, That the ſtate of South-Carolina be requeſted to continue, as heretofore, to advance whatever monies may be neceſſary for the payment of the continental troops

troops in that ſtate; and alſo for whatever contingent expences relative to the troops ſhall accrue on the continental account; and to ſuperviſe and examine the expenditure thereof; and that a regular account of all ſuch expenditures be tranſmitted to Congreſs up to the 31ſt day of December in every year, together with the vouchers for the ſame; and after the ſaid accounts have been liquidated and adjuſted by Congreſs, the ſame ſhall be allowed out of the annual quota to be demanded by Congreſs of the ſaid ſtate; and if ſuch expenditures ſhall exceed the quota of that ſtate, the balance ſhall either be immediately remitted to the ſaid ſtate, or carried to its credit in the continental account:

That the ſtate of South-Carolina be allowed to retain the five hundred thouſand dollars, their quota for the preſent year, as part payment of their account now tranſmitted to Congreſs.

Reſolved, That Mr. preſident Lowndes acted with propriety and a true regard to the intereſt of the United States in refuſing to advance any further ſums of money to colonel Huger, deputy quartermaſter general, until he accounted for what he had before received; and that the preſident, by the reſolution of the 9th of February laſt, has a power of ſuſpending from pay and employment for miſbehaviour or neglect of duty any officer in the quartermaſter general's department, or in the commiſſary general's department, or any officer of the ſtaff or other civil officer, within his ſtate appointed by the head of his department and not immediately by Congreſs.

The committee to whom were referred the letters of governor Houſton and major general Howe, with the papers incloſed, brought in a report; whereupon

Reſolved, That all military officers and ſoldiers in the ſervice of the United States are, and of right ought to be, amenable to the laws of the ſtate in which they reſide in common with other citizens; but as to the propriety of undertaking diſtant expeditions or enterprizes, or other military operations, and the mode of conducting them, the general or commanding officer muſt finally judge and determine at his peril:

That after a careful examination by their committee of the letters of governor Houſton and major general Howe, and the papers incloſed; Congreſs do not find

that general Howe has been wanting in that attention and reſpect to the authority of Georgia which is due from the commanding officer.

Reſolved, That governor Houſton be aſſured that Congreſs are not unmindful of the particular condition of the ſtate of Georgia, but have for ſome time paſt had it in contemplation and are diſpoſed to afford that ſtate ſuch aid, and to adopt ſuch meaſures, as ſhall give them effectual relief as ſoon as it will be prudent, conſiſtently with the great and general intereſts of the United States.

The committee to whom were referred the letters from major general Greene, and lieutenant colonel Udney Hay, brought in a report, which was agreed to as follows;

Whereas Congreſs, in the preſent arrangement of the quartermaſter general's department, have given the quartermaſter general the appointment of the ſubordinate officers of that department;

Reſolved, That Udney Hay, eſquire, who under the former arrangement of the ſaid department was appointed aſſiſtant deputy quartermaſter general at Ticonderoga, and a lieutenant colonel by brevet, cannot now hold that office by virtue of the ſaid appointment, nor be entitled to any privilege or emolument, which either does at preſent or may hereafter accrue to any officer of the ſame rank in the line.

Reſolved, That no perſons, hereafter appointed upon the civil ſtaff of the army, ſhall hold or be entitled to any rank in the army by virtue of ſuch ſtaff appointment.

The marine committee report, that they have converſed with captain Landais, an experienced ſea officer, and ſkilled in the conſtruction of ſhips of war, and that he has demonſtrated to their ſatisfaction that the ſeventy-four gun ſhip now on the ſtocks at Portſmouth in New-Hampſhire may be, more profitably for the public, conſtructed a two decker, carrying twenty-eight 24 pounders upon the lower battery, and twenty-eight 18 pounders on the upper deck; in the whole fifty-ſix guns:" whereupon

Reſolved, That the ſhip heretofore intended for one of ſeventy-four guns be conſtructed to carry fifty-ſix guns only, upon two batteries, that is to ſay, twenty-eight 24 pouuders upon the lower deck, and twenty-eight 18 pounders upon the upper deck.

Reſolved,

Resolved, That the new continental frigate built at Salisbury in the state of Massachusetts-Bay, and lately launched, be called "*The Alliance*."

Ordered, That Mr. R. Peters have leave of absence from the board of war, for a short time, on business of importance.

Adjourned to nine o'clock to-morrow.

SATURDAY, *May* 30, 1778.

Mr. Wentworth, a delegate from New-Hampshire, attended and took his seat in Congress.

The committee to whom was referred the letter of the 24th from general Washington, with the papers inclosed relative to captain Vance, brought in a report:

Ordered, That the consideration thereof be postponed.

Resolved, That Tuesday next be assigned to take into consideration the articles of confederation.

The committee to whom was referred the letter of the 28th of April from the president and council of the state of Massachusetts-Bay, brought in a report; whereupon

Resolved, That, for the reasons assigned by the president and council, Congress approve of their placing about five hundred of the British troops of the convention of Saratoga in the barracks at Rutland, and the erecting temporary barracks at that place for the remainder of the British:

That Congress approve of the Hessians being continued in their present stations, if no other places more safe and convenient at a greater distance from Boston can be had; but do not think it of public utility to permit these troops to proceed immediately to Great-Britain:

That the president and council of Massachusetts-Bay be requested to cause the barracks, in which the troops of the convention may be stationed, to be picketed in, and to take effectual measures to render an escape impracticable.

Congress took into consideration a report from the board of treasury, relative to the managers of the lottery; and after debate

Ordered, That it be referred to a committee of three;

The members chosen Mr. R. H. Lee, Mr. Sherman and Mr. Dana.

Ordered, That Mr. F. L. Lee have leave of absence.

Ordered,

Ordered, That Mr. Henry have leave of abſence.

The board of war, to whom was referred a petition from John Sherman, brought in a report; whereupon

Reſolved, That the ſum of one thouſand dollars be advanced out of the public treaſury to Mr. John Sherman, on a loan for two years, free of intereſt, to enable him to proſecute his buſineſs; and that Mr. Sherman execute a bond to the treaſurer, for the uſe of the United States, for the payment of the above ſum, in ſuch warlike implements or ſtores, and at ſuch prices and periods of delivery as ſhall be contracted for between the board of war and the ſaid John Sherman; and in default of ſuch contract, the money to be re-paid on demand.

The commiſſioners of claims, with the approbation of the auditor general, report,

That they have liquidated the accounts of captain Harman Courter's expences while in the public ſervice, and that there is a balance due to him amounting to two hundred and fourteen dollars and 18-90ths:

Ordered, That the ſaid ſum be paid.

Ordered, That the board of treaſury report a proper ſum as a compenſation for captain Courter's time and trouble in bringing diſpatches from the commiſſioners at Paris to Congreſs.

Reſolved, That the board of war be directed to report a plan for the payment of the ſums that may from time to time be due to officers and ſoldiers of the United States for their pay and rations whilſt in captivity.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Nathaniel Appleton, eſquire, commiſſioner of the continental loan-office in the ſtate of Maſſachuſetts-Bay, for ſeven thouſand one hundred and ninety dollars and 56-90ths, in favour of Parſon Jones and Enoch Iſley, in diſcharge of a draught of his excellency R. Caſwell, governor of North-Carolina, dated Newbern the 4th of May, 1778, for two thouſand eight hundred and ſeventy-ſix pounds five ſhillings North-Carolina currency, in favour of Richard and James Ellis, expreſſed to be for cloathing purchaſed for the uſe of the army; the ſaid ſtate to be accountable.

Reſolved, That for the ſpace of one month, commencing on Monday next, Congreſs meet at ten o'clock and ſit till one, and on the ſame day, except Wedneſdays and Saturdays,

turday's, meet at three and adjourn at ſix, P. M. and that Congreſs be not on any account whatever continued over the times fixed, if one ſtate inſiſts on adjourning.

Adjourned to ten o'clock on Monday.

MONDAY, *June* 1, 1778.

A letter of May 21ſt from general Waſhington, incloſing an account of brigadier M'Intoſh, for his expences from Georgia to Head-Quarters, and ſundry other papers, was read:

Ordered, That the account of brigadier M'Intoſh be referred to the board of treaſury, and that general Waſhington's letter, with the other papers incloſed, be referred to the board of war.

A letter of May the 28th from general Waſhington, and one of the 26th from governor Livingſton, were read.

Congreſs took into conſideration the inſtructions to the commiſſioners in Europe, and after debate

Reſolved, That they be re-committed, and that three members be for this purpoſe added to the committee for foreign affairs, who reported the ſame;

The members choſen Mr. Drayton, Mr. Duer and Mr. Smith.

Three o'clock, P. M.

The committee, to whom the inſtructions to the commiſſioners of the United States at the ſeveral courts in Europe were re-committed, brought in a report, which was taken into conſideration, and after ſome debate thereon,

Ordered, That the farther conſideration thereof be poſtponed.

Adjourned to ten o'clock to-morrow.

TUESDAY, *June* 2, 1778.

A letter of May the 27th from general Gates at Fiſhkill, incloſing copies of letters that paſſed between him and general Waſhington, and between him and governor Trumbull, with ſundry other papers, was read, and alſo a letter of May the 23d from general Conway:

Ordered, That they be referred to the board of war.

Congreſs proceeded to the election of a deputy adjutant general in the northern department, in the room of lieutenant colonel Troup, who declines, and whoſe commiſſion is returned by general Gates; and the ballots being taken,

Colonel

Colonel William Malcolm was elected.

The board of war having repreſented that the corps of artificers is ſufficient for the protection of the magazines and ſtores at Carliſle,

Reſolved, That major Wilſon's corps, raiſed as guards for the ſtores and magazines at Carliſle in the ſtate of Pennſylvania, be diſmiſſed from the ſervice of the United States.

Reſolved, That the officers herein after mentioned be intitled to draw one ration a day and no more; that where they ſhall not draw ſuch ration, they ſhall not be allowed any compenſation in lieu thereof; and to the end that they may be enabled to live in a manner becoming their ſtation,

Reſolved, That the following ſums be paid to them monthly for their ſubſiſtance, to wit, to every colonel fifty dollars, to every lieutenant colonel forty dollars, to every major thirty dollars; to every captain twenty dollars, and to every lieutenant and enſign ten dollars; to every regimental ſurgeon thirty dollars, to every regimental ſurgeon's mate ten dollars; and to every chaplain of brigade fifty dollars.

Reſolved, That ſubſiſtance money be allowed to officers and others on the ſtaff, in lieu of extra rations, and that henceforward none of them be allowed to draw more than one ration a day.

Ordered, That the committee of arrangement report to Congreſs, as ſoon as poſſible, ſuch an allowance as they ſhall think adequate to the ſtation of the reſpective officers and perſons employed on the ſtaff.

The commiſſioners of claims, with the approbation of the auditor general, report,

That there is due to the reverend Mr. G. Duffield, as chaplain to Congreſs from October the 1ſt, 1777, to April 30th, 1778, included, excluſive of rations due to him, being ſeven months at ſixty dollars per month, four hundred and twenty dollars, which is to be paid to the reverend doctor Witherſpoon, at the requeſt of Mr. Duffield:

To Peter Scriber, for making a box for a paper mould for bills of exchange, ſix dollars:

Ordered, That the ſaid ſums be paid.

The committee on the treaſury brought in a report; whereupon

Ordered,

Ordered, That thirty thouſand three hundred and ninety-five dollars and 62-90ths be paid to Reading Blount, in diſcharge of a draught of his excellency R. Caſwell, governor of the ſtate of North-Carolina, in favour of Nicholas Long, deputy paymaſter general of that ſtate, for the ſum of fourteen hundred pounds, and ten thouſand ſeven hundred and fifty-eight pounds five ſhillings and ſix pence, North-Carolina currency, expreſſed to be for the purchaſe of waggons and the balance of the ſaid Nicholas Long's accounts; the ſaid ſtate to be accountable.

Ordered, That fifteen hundred dollars be paid to captain Harman Courter, in compenſation for his public ſervices and to defray his expences to Boſton.

Reſolved, That the order of the day, for taking into conſideration the articles of confederation, be poſtponed.

Three o'clock, P. M.

Reſolved, That an interpreter and tranſlator of languages to Congreſs be appointed; that his pay be one hundred dollars per month:

The ballots being taken,

Mr. Paul Fooks was elected.

A letter of May 31ſt from general Waſhington was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. M'Kean, Mr. Witherſpoon and Mr. J. Smith.

Congreſs reſumed the conſideration of the inſtructions to the commiſſioners of the United States at foreign courts, and after debate,

Reſolved, That the farther conſideration thereof be poſtponed till to-morrow.

Adjourned to ten o'clock to morrow.

WEDNESDAY, *June* 3, 1778.

A letter of May the 28th from governor Trumbull, incloſing a letter from Mr. William Tryon of New-York, and governor Trumbull's anſwer, was read:

Ordered, That the ſame be referred to the committee of intelligence.

A letter of May the 28th from general Waſhington, and one of the 16th from major general Sullivan, were read:

Ordered, That they be referred to the board of war.

A letter

A letter of May the 27th from J. Wadſworth, commiſſary general of purchaſes, with ſundry papers incloſed, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Carroll, Mr. Morris and Mr. Huntington.

A letter of May the 17th from general Schuyler at Albany, incloſing a meſſage from him to the Oneidas and Tuſcaroras, was read:

Ordered, That the ſame be referred to the board of war.

A memorial from captain Harman Courter was read, praying to be honoured with the commiſſion of a captain, to be employed when there may be a ſufficient number of ſhips for thoſe now holding that rank who may be capable of the important truſt; and in the interim not to receive any pay which may accrue by virtue of ſuch commiſſion until he is called into actual ſervice:

On motion, That the prayer of the memorial be granted,

Paſſed in the negative.

Ordered, That printed pamphlets, containing liſts of the prizes drawn by the adventurers in the firſt claſs of the lottery of the United States, be tranſmitted by the managers to the aſſemblies, commiſſioners of the loan-offices, poſtmaſters and lottery agents, and to every perſon intruſted with the ſale of tickets in the ſeveral ſtates, for the free inſpection of the ſeveral adventurers; and that the printers in the ſeveral ſtates be requeſted to publiſh the whole in weekly portions.

The committee to whom was referred the letter of May 31ſt from general Waſhington, brought in a report, which was read, and after debate

Ordered, That it be re-committed, and that two members be added to the committee;

The members choſen Mr. Dana and Mr. R. H. Lee.

The commiſſioners of claims, with the approbation of the auditor general, report,

That there is due to Martin Breniciſe, for his ſervices as door-keeper, &c. to Congreſs, from March the 1ſt to May the 31ſt, incluſive, ninety-two days, one hundred and fifty-three dollars and 30-90ths:

To

To Claypoole and Ciſt, a balance of fourteen dollars and 39-90ths, for their ſervice and expences on a journey to and from Baltimore, &c. by order of the board of treaſury:

Ordered, That the ſaid accounts be paid.

Adjourned to ten o'clock to-morrow.

THURSDAY, *June* 4, 1778.

A letter of the 1ſt from brigadier count Pulaſki, and one of May the 23d from captain Touzard, were read:

Ordered, That they be referred to the board of war.

A letter of the 2d from general Waſhington, and one of the 1ſt from Mr. Reſolve Smith, were read.

Reſolved, That a committee of three be appointed to examine the journal, and extract from thence, in order for publication, all the reſolutions relative to the government of the army, the regulations of the quarter-maſter's, commiſſary's and cloathier's departments, and to the pay and ſettlements of the accounts of the army;

The members choſen Mr. Carroll, Mr. Matthews and Mr. Wentworth.

A letter of the 1ſt from general Greene, quartermaſter general, was read:

Ordered, That it be referred to the board of war, who are directed to report thereon with all convenient diſpatch.

A letter of the 2d from W. Atlee, deputy commiſſary of priſoners at Lancaſter, was read:

Ordered, That the conſideration thereof be poſtponed.

A letter of May the 6th from governor Caſwell, incloſing a reſolution of the general aſſembly of North-Carolina in favour of Mr. de Cambray, was read:

Ordered, That the ſame be referred to the board of war.

A memorial from general Conway was read:

Ordered to lie on the table.

The committee on the treaſury brought in a report; whereupon

Ordered, That eight thouſand five hundred and eighty-three dollars and 30-90ths be advanced to the committee of commerce, to pay Cumberland Dugan the valuation of his brigantine Abigail, chartered and inſured on public account, and which was captured by the enemy, as appears by the captain's proteſt; the ſaid committee to be accountable:

That four thouſand ſeven hundred and four dollars be advanced to the committee of commerce, to pay a bill drawn on them by Mr. Stephen Ceronio, commercial agent at Cape Francois, dated March the 24th, 1777, in favour of Adam Badcock; the ſaid committee to be accountable:

That twelve thouſand dollars be advanced to Joſeph Nourſe, paymaſter to the board of war and ordnance, to enable the board of war and ordnance to pay the ſums due to the troops ordered to march to Fort Pitt; the ſaid board to be accountable.

Ordered, That the reſolution paſſed May the 2d, for paying the prizes in the firſt claſs of the lottery, and for drawing the ſecond claſs, be publiſhed.

A letter of April the 20th from doctor Ruſh to meſſieurs Drayton, Huntington and Baniſter, the committee appointed to enquire into his charges againſt doctor Shippen, was read:

Ordered to lie on the table.

Three o'clock, P. M.

The board of war having repreſented the expediency of appointing commiſſioners to meet the Indians at Fort Pitt, and to attend the treaty propoſed by the late commiſſioners,

Reſolved, That three commiſſioners be appointed for the purpoſe of holding a treaty with the Delawares, Shawaneſe and other Indians, who may aſſemble at Fort Pitt on the 23d of July next.

Reſolved, That the governor and council of the ſtate of Virginia be authoriſed and requeſted to appoint two gentlemen, and that the executive power of the ſtate of Pennſylvania to appoint one gentleman, of ſuitable characters, for the purpoſe aforeſaid.

Reſolved, That Congreſs will make an adequate allowance for the ſervices and expences of the ſaid commiſſioners.

The committee to whom was referred the letter of the 27th from J. Wadſworth, with the papers incloſed, brought in a report, which was taken into conſideration; whereupon Congreſs came to the following reſolution:

Whereas by a change of circumſtances in the commerce of theſe ſtates, the regulation of prices lately recommended by Congreſs may be unneceſſary; and the meaſure

measure not being yet adopted by all the states; therefore

Resolved, That it be recommended to the legislatures of the several states that have adopted it, to suspend or repeal their laws made for that purpose.

Ordered, That the farther consideration of the report be postponed till to-morrow.

Ordered, That the letter of the 2d from W. Atlee, with the papers inclosed, be referred to the board of war.

A memorial from E. Blaine, esquire, deputy commissary general of purchases, was read:

Ordered, That it be referred to the board of treasury, who are directed to report specially thereon.

Resolved, That the resolutions of Congress for the arrangement of the army be transmitted to the commander in chief, who, with the advice and assistance of Mr. J. Reed and Mr. Dana, or either of them, is hereby directed and impowered to proceed in arranging the same according to the said resolutions, and the resolutions of the tenth day of January last; and that for this purpose the committee appointed according to the resolutions last mentioned do transmit to the commander in chief all such materials as may be in their possession relative to such arrangement: and further

Resolved, That the commander in chief transmit to the board of war lists of the officers of the several regiments on the new arrangement, that new commissions be made out for such officers.

A petition from Henry Watts was read;

Ordered, That it be referred to the board of war.

The committee to whom was re-committed the report on the letter of May 31st from general Washington, brought in a report; whereupon

Resolved, That, should the city of Philadelphia be evacuated by the enemy, it will be expedient and proper for the commander in chief to take effectual care that no insult, plunder or injury of any kind may be offered to the inhabitants of the said city:

That, in order to prevent public or private injury from the operations of ill disposed persons, the general be directed to take early and proper care to prevent the removal, transfer or sale of any goods, wares or merchandize in possession of the inhabitants of the said city, until the property of the same shall be ascertained by a joint committee

committee, conſiſting of perſons appointed by Congreſs, and of perſons appointed by the ſupreme executive council of the ſtate of Pennſylvania, to wit, ſo far as to determine whether any or what part thereof may belong to the king of Great-Britain or to any of his ſubjects.

Adjourned to ten o'clock to-morrow.

FRIDAY, *June* 5, 1778.

Ordered, That the committee appointed to examine the journals, and extract reſolutions for publication, be diſcharged; and that the ſecretary deliver to the auditor general ſuch of the journals of Congreſs as he ſhall from time to time judge neceſſary for extracting reſolutions relative to the department of the auditors of the army, paſſed ſince the firſt of January, 1777.

The committee on the treaſury brought in a report; whereupon

Ordered, That, upon the application of the board of war and ordnance, twenty-ſeven thouſand five hundred and twenty dollars be paid to Joſeph Nourſe, paymaſter of the ſaid board, to be by him tranſmitted to brigadier M'Intoſh, for the purpoſe of raiſing two regiments in the ſtates of Virginia and Pennſylvania, for the defence of the weſtern frontiers, agreeably to the reſolution of the 2d of May laſt; brigadier M'Intoſh to be accountable.

Congreſs reſumed the conſideration of the report of the committee on the letter of May 27th from J. Wadſworth, and ſome progreſs being made therein,

Ordered, That it be re-committed, and that two members be added to the committee;

The members choſen Mr. R. H. Lee and Mr. Dana.

Adjourned to ten o'clock to-morrow.

SATURDAY, *June* 6, 1778.

Mr. Heyward, a delegate from South-Carolina, attended and took his ſeat in Congreſs.

A letter of the 4th from general Waſhington, incloſing copies of letters that paſſed between him and lord Howe and general Clinton; alſo a letter of May the 27th from lord Howe, and one of the 3d of June from general ſir Henry Clinton, at Philadelphia, accompanied with three acts of the parliament of Great-Britain; were read:

Ordered, That the ſame be referred to a committee of five;

The

The members chosen Mr. Drayton, Mr. R. H. Lee, Mr. G. Morris, Mr. Witherspoon and Mr. S. Adams.

Ordered, That the committee retire into the next room, and prepare an answer to lord Howe and general Clinton's letters.

A letter of the 6th from general Conway was read:

Ordered, That it be referred to the board of treasury.

A letter of the 5th from the council of Pennsylvania to the delegates of that state in Congress, and a memorial and petition from sundry inhabitants of the county of Northumberland, were laid before Congress and read:

Ordered, That they be referred to the board of war.

A report from the board of war was read; whereupon

Resolved, That the resolution of Congress of June 2d, relative to the subsistance money to be allowed to officers in the continental service, be extended to all militia or other troops which may from time to time be called into the continental service, or which may be raised in pursuance of a special resolution of Congress.

Resolved, That brigadier M'Intosh be authorised to purchase and cause to be made up, on the most reasonable terms, such articles of the bounty cloathing for the two regiments which are to be raised in pursuance of the resolution of Congress of the 2d day of May last, as cannot be speedily procured from the commissary of cloathing; and that to enable brigadier M'Intosh to execute this resolution, the sum of sixty thousand dollars be advanced; for which brigadier M'Intosh is to be accountable.

The committee on the treasury brought in a report; whereupon

Ordered, That one thousand one hundred and twenty-five dollars be paid to brigadier L. M'Intosh, in discharge of a bill in his favour drawn by Thomas Reed, assistant paymaster, dated Camp, the 19th of May, 1778; W. Palfrey, esquire, paymaster general, to be accountable.

Another letter of the 5th from the council of Pennsylvania to the delegates of that state, was laid before Congress and read:

Ordered, That it be referred to the board of treasury,

The committee appointed to prepare an answer to lord Howe and general Clinton's letters, brought in a draught, which was agreed to, as follows;

MY LORD,

I HAVE had the honor to lay your lordſhip's letter of May 27th, with the acts of the Britiſh parliament inclo-ſed, before Congreſs, and I am inſtructed to acquaint your lordſhip, that they have already expreſſed their ſentiments upon bills not eſſentially different from thoſe acts, in a publication of the 22d of April laſt.

Your lordſhip may be aſſured, that when the king of Great Britain ſhall be ſeriouſly diſpoſed to put an end to the unprovoked and cruel war waged againſt theſe United States, Congreſs will readily attend to ſuch terms of peace as may conſiſt with the honor of independent nations, the intereſt of their conſtituents, and the ſacred regard they mean to pay to treaties.

I have the honor to be, &c.

Preſident.

Ordered, That a ſimilar letter be ſent to ſir Henry Clinton.

A letter of May 27th from colonel Malcolm, lately appointed deputy adjutant general in the northern department, was read:

Ordered, That it be referred to the committee of arrangement.

Adjourned to ten o'clock on Monday.

MONDAY, *June* 8, 1778.

Mr. Henry Marchant, a delegate from Rhode-Iſland and Providence Plantations, attended and produced the credentials of the delegates of that ſtate, which were read as follows;

"State of RHODE-ISLAND and PROVI-
"DENCE PLANTATIONS.

"I CERTIFY, that at the general election held at "Providence, within and for the ſtate aforeſaid, on the "firſt Wedneſday in May inſtant, the honorable Stephen "Hopkins, eſquire, the honorable William Ellery, eſ-"quire, the honorable Henry Marchant, eſquire, and "the honorable John Collins, eſquire, were choſen dele-"gates to repreſent the ſaid ſtate in Congreſs for one year "as appears of record. In witneſs whereof I have here-"unto ſet my hand, this eighth day of May, in the year "of our Lord one thouſand ſeven hundred and ſeventy-"eight.

"HENRY WARD, ſecretary."

A letter

A letter of May 26th from major general Sullivan, at Providence, was read:

Ordered, That it be referred to the committee of intelligence, and afterwards to the board of war.

A letter of the 7th and one of the 28th of February from William Lee, eſquire, at Paris, were read:

Ordered, That they be referred to the committee for foreign affairs.

A letter of May 28th from Mr. Chevalie, ſupercargo of the ſhip Fier Roderique, arrived in Hampton road Virginia, and one of March 23d from meſſieurs Beaumarchais and Company, by the ſaid ſhip, were read:

Ordered, That they be referred to a committee of three;

The members choſen Mr. G. Morris, Mr. Baniſter and Mr. Dana.

The board of war, to whom was referred the letter of May 28th from general Waſhington, having reported thereon, Congreſs came to the following reſolution;

It appearing by general Waſhington's letter of May 28th, that lieutenant colonel John Gibſon, of the 6th Virginia regiment, has, ſince the 25th day of October laſt, been entitled to the commiſſion of a colonel in that line,

Reſolved, That a commiſſion of colonel in the Virginia line be granted to lieutenant colonel John Gibſon; he to rank as colonel from the 25th day of October, 1777.

The board of war, to whom was referred the memorial and petition from ſundry inhabitants of Northumberland in the ſtate of Pennſylvania, having reported thereon, Congreſs came to the following reſolutions;

Reſolved, That one company of foot be raiſed in the county of Northumberland in the ſtate of Pennſylvania, for its immediate defence and the aſſiſtance of the inhabitants of the neighbouring counties, ſo far as it ſhall be in their power, againſt the Indians and other enemies who may infeſt the ſame, but not to be marched from thoſe frontiers without their own conſent:

That this company conſiſt of one captain, one captain lieutenant, two lieutenants and one enſign, five ſerjeants, five corporals, and eighty-five privates, and continue in ſervice for ſix months from the time of their inliſtments, unleſs ſooner diſcharged by Congreſs:

That the preſident and council of the ſtate of Pennſylvania be impowered to iſſue warrants to ſuitable perſons

for

for officers to inlift the company aforefaid, and to grant a commiffion to fuch one as fhall inlift nineteen men :

That the fame pay, rations and fubfiftance money be allowed to this company as to the officers of the like ranks and foldiers in the continental army :

That the commiffary general of purchafes or his deputy be directed to contract with a fuitable perfon to fupply this company with provifions :

That each man provide himfelf with cloaths and a blanket :

That eight dollars be allowed to each man who fhall furnifh himfelf with a good rifle and accoutrements :

That the lieutenant, or in his abfence the fub-lieutenants, of the county of Northumberland, be impowered and defired to fuperintend the faid company, give orders relative to its operations, and in cafe of failure in duty of any of the officers, to report the fame to the board of war.

A letter of the 2d from governor Johnfon of Maryland, to the delegates of that ftate, was laid before Congrefs:

Ordered, That it be referred to the board of war, who are directed to enquire into the matters fet forth therein, and to take fuch meafures for the relief of the Maryland troops as can be adopted conffiftent with a regard to the general wants of the army.

Three o'clock, P. M.

Congrefs refumed the conffideration of the report of the committee on the letter from J. Wadfworth, and thereupon came to the following refolution:

Whereas the exportation of provifions from thefe ftates hath occafioned much difficulty in procuring fupplies for our armies, and by the capture of veffels concerned in fuch exportation, the armies of the enemy have been freed from diftreffes that would have greatly embarraffed their operations; and whereas for the eafy fupply of our armies, and to embarraffs and diftrefs the enemy the enfuing campaign, it is abfolutely neceffary an embargo fhould be immediately laid to prohibit fuch exportations; and as from the diftance of the ftates from Congrefs and the different periods of affembling their legiflatures the good end of fuch embargo would be totally fruftrated, fhould Congrefs not proceed to impofe the embargo; therefore

Refolved,

Resolved, That an embargo be and it hereby is laid, to prohibit the exportation of wheat, flour, rye, Indian corn, rice, bread, beef, pork, bacon, live ſtock, and other proviſions, from any of theſe United States from and after the tenth day of June inſtant, until the fifteenth day of November next, unleſs ſooner revoked by Congreſs; provided that this embargo ſhall not be conſtrued to prevent the taking on board ſuch proviſion as ſhall be neceſſary for the ſtores only of any ſhips or veſſels of war, or others trading to and from theſe ſtates.

Reſolved, That it be earneſtly recommended to the reſpective ſtates to take the moſt effectual meaſures for carrying the foregoing reſolution into immediate execution.

Adjourned to nine o'clock to-morrow.

TUESDAY, *June* 9, 1778.

A letter of the 7th from general Waſhington was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. R. H. Lee, Mr. S. Adams, and Mr. Marchant.

A letter of the 3d from general Gates, with fifteen papers incloſed, and one of May 29th from general Schuyler at Albany, with three papers incloſed, were read:

Ordered, That the letter from general Schuyler, with the papers incloſed, be referred to the board of war:

That the letter from general Gates, with the papers incloſed, except thoſe numbered 4, 5 and 6, be referred to a committee of three;

The members choſen Mr. Drayton, Mr. R. H. Lee and Mr. S. Adams.

Ordered, That the board of war be diſcharged from proceeding on the letter of May 26th from general Sullivan, and that it be referred to the foregoing committee.

Ordered, That ſo much of general Gates's letter as relates to eſtabliſhing a magazine of flour in the eaſtern department, be referred to the board of war.

A letter of May 24th from brigadier Stark was read:

Ordered, That it be referred to the foregoing committee.

A letter of May 25th from major general marquis de la Fayette, with ſundry papers incloſed, was read:

Ordered, That ſo much thereof as relates to monſieur Touſard and Mr. de Norman be referred to the board of war.

A letter of the 5th from the marquis de la Fayette was read:

Ordered, That it be referred to a committee of three;

The members chosen Mr. M'Kean, Mr. Witherspoon and Mr. Sherman.

The committee on the treasury brought in a report; whereupon

Ordered, That fifty thousand dollars be advanced to doctor Isaac Forster, deputy director general in the eastern district, for the use of his department; and for which he is to be accountable:

That two hundred and fifty dollars be paid to Andrew Armstrong, in discharge of a bill drawn by John Ashe, treasurer of the state of North-Carolina, dated May 22d, 1777, in favour of Edmund Gamble, expressed to be for the service of the United States; the state of North-Carolina to be accountable.

Resolved, That four members be added to the board of treasury;

The members chosen Mr. Heyward, Mr. Marchant, Mr. Wentworth and Mr. Sherman.

The committee of commerce, to whom was referred the memorial of monsieur Dorie, report "that the memorialist hath produced to the committee a promisory note by him subscribed, and which accompanies the report, payable to Congress on the 10th day of January next, for the sum of one thousand pounds, continental currency, meaning thereby one thousand pounds Pennsylvania currency, or two thousand six hundred and sixty-six dollars and two thirds of a dollar, which promisory note is also under-signed by the honorable George Plater, Francis Lightfoot Lee, John Banister, Charles Carroll of Carrolton, esquires, colonel Thomas Hartley, honorable W. H. Drayton, John Matthews, Daniel Roberdeau, William Duer, and Governeur Morris, esquires, as security for the above sum:" whereupon

Ordered, That the sum of two thousand six hundred and sixty-six dollars and 60-90ths be advanced to the honorable George Plater and the other subscribers, to be by them appropriated to the use of the memorialist, if they think proper, they to be chargeable for the repayment thereof, at the time mentioned in the said note.

Three o'clock, P. M.

Whereas doubts have ariſen as to the ſum which ſhall be paid for the rations which now may be due and owing to officers in the ſervice of theſe ſtates, and alſo as to the vouchers for drawing the ſame, by reaſon whereof the intentions of Congreſs with reſpect to ſuch officers are fruſtrated:

Reſolved, That the value of the rations due ſince the firſt day of January laſt, till the firſt inſtant, be eſtimated at one third of a dollar; and that the officers do preſent their accounts to the paymaſter general or deputy paymaſter general, who ſhall adjuſt and pay the ſame; provided always that the ſaid officers ſhall make oath to their accounts reſpectively, which oaths the ſaid paymaſters are hereby impowered and directed to adminiſter, and tranſmit the ſaid accounts, with the receipts thereon, to the treaſury.

Reſolved, That the deputy director general of the hoſpital in the eaſtern department ſhall, as heretofore, in the abſence of the director general, ſuperintend the medical affairs of that department, till the further order of Congreſs.

The committee of arrangement brought in a report on the department of the cloathier general, which was taken into conſideration, and ſome progreſs being made therein,

Ordered, That the further conſideration thereof be poſtponed.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *June* 10, 1778.

The committee on the treaſury brought in a report; whereupon

Ordered, That two hundred thouſand dollars be advanced to doctor Jonathan Potts, deputy director general for the middle diſtrict, for the uſe of his department; he to be accountable.

The committee to whom was referred the letter of the 3d from general Gates, with the papers incloſed, reported the draught of a letter to the ſeveral ſtates, which was agreed to as follows.

SIR,

AUTHENTIC intelligence, received by Congreſs from many quarters, leave it no longer doubtful in what manner

manner the enemy mean to conduct their plan of conciliation. Under deluſive appearances of pacific acts and peace-making commiſſioners, already their military reinforcements begin to arrive, and already they have commenced the campaign in many places with acts of cruelty and devaſtation. Indian irruptions and burning houſes, in the moment of diſperſing propoſitions for peace, evince the inſidious deſigns of the enemy, and demonſtrate the neceſſity of wiſdom in council, of ſtrength and vigor in the field.

The former may be employed to diſtreſs the enemy greatly, by withholding from them the proviſions of America, and the latter by quickly collecting powerful armies to take advantage of their preſent weakneſs.

In duty therefore to their conſtituents Congreſs earneſtly call upon you, Sir, and your ſtate, to adopt the moſt effectual and vigorous meaſures for ſpeedily reinforcing the continental army with your quota of troops.

The preſent moment unimproved may be productive of the moſt pernicious conſequences, and the public ſafety demands ſtrong and united efforts. Experience hath ſhewn that the marine force of our enemies enables them to ſecure for the ſupport of their armies almoſt the whole of our exported proviſions; and therefore Congreſs, impreſſed with the neceſſity of preventing the ſupplies derived to our foes from this ſource, and deſirous of ſupplying the armies of the United States, have, upon mature deliberation, laid an embargo upon proviſions of all kinds, and they earneſtly requeſt the vigorous exerciſe of the powers of your ſtate to carry into effectual execution this moſt neceſſary meaſure.

Ordered, That what relates to the reinforcing the continental army be left out in the letters to North-Carolina, South-Carolina and Georgia; and that in the letters to Maryland, Virginia and North-Carolina, the following clauſe be added;

The urgent neceſſity for the proviſions with which your ſtate is to furniſh the army, induces Congreſs to preſs upon you, Sir, immediate and conſtant attention to this important buſineſs, and the preſent abſence of the enemy's ſhips from the bay of Cheſapeak may be improved by ſeizing the opportunity of water conveyance to the Head of Elk.

The

The committee to whom were referred the letter from Mr. de Beaumarchais, to the committee of commerce, and the letter from Mr. Chevallie to Congreſs, brought in a report; whereupon

Reſolved, That governor Henry be requeſted to purchaſe, for the United States, the articles contained in the liſt hereto annexed, being part of the cargo of the French ſhip le Fier Roderique, as cheap as he can, not exceeding the price following, viz. four hundred and fifty pounds Virginia money for every hundred pounds ſterling, to be paid in tobacco, at ten dollars per hundred, and that a letter be written to his excellency, explaining the principles of ſuch limitation:

Liſt of articles——

Leaden bullets of different ſizes,
Mens ſilk and woollen ſtockings,
Woollen caps,
The different kinds of buckles,
Uniform buttons for officers and ſoldiers,
Sleeve buttons,
Red cadis for the linings of uniform,
Coarſe and fine ſhirts,
Woollen blankets,
Soldiers hats,
Cloths fine, for officers; ditto coarſe for ſoldiers; and light ditto for ſoldiers,
Braſs inkſtands,
White flannel, Sewing thread,
Linen ſpatterdaſhes for ſoldiers,
Soldiers cloathing ready made,
An aſſortment of handkerchiefs,
Gun powder, flints,
Wriſtbands for ſhirts,
Serget of different colours, viz. ſcarlet, ſky blue,
Brown and white, for linings,
An aſſortment of ſewing ſilks,
Mens ſhoes, ſoldiers knapſacks,
An aſſortment of brown and white linens,
White Malaga in caſes,
Red Burgundy in caſes twelve groce,
Claret in caſks, twenty caſks,
White wine vinegar.

A letter of this day from colonel Morgan was read:

Ordered, That it be referred to the committee for foreign affairs.

A petition

A petition from William Cochran and Thomas Swaine, of Cumberland county, was read:

Ordered, That it be referred to the board of war.

Adjourned to ten o'clock to-morrow.

THURSDAY, *June* 11, 1778.

A letter of the 9th from general Waſhington was read, incloſing a letter of the 9th to him from general ſir H. Clinton, informing that the Earl of Carliſle, Mr. Eden, and governor Johnſtone, three of the commiſſioners for reſtoring peace between Great-Britain and America, are arrived at Philadelphia, and requeſting a paſſport for doctor Ferguſon, their ſecretary, with a letter from them to Congreſs, together with a copy of general Waſhington's anſwer, which were read:

Ordered, That the ſame be referred to the committee on the letter of the 7th from general Waſhington.

A letter of January 22d from W. Lee, eſquire, at Paris, was read:

Ordered, That it be referred to the committee for foreign affairs.

A letter of May 31ſt from general Sullivan, incloſing a reſolution paſſed the 30th of the ſame month by the aſſembly of Rhode-Iſland, &c. was read:

Ordered, That ſo much of the ſaid letter as relates to the enemy's attempt on Tiverton be publiſhed, and that the letter, with the incloſed reſolution, be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That two hundred thouſand dollars be advanced to Ephraim Blaine, eſquire, deputy commiſſary general of purchaſes, and at his deſire paid to James White, in conſequence of a letter of credit of William Buchanan, eſquire, late commiſſary general of purchaſes, who is to be accountable.

The board of war report "That major Thomas Mullens, late an aid de camp to major general Conway, is an old officer in the French ſervice; that he ſerved the laſt campaign in the main army, and for his bravery and good conduct, at the battles of Brandywine and Germantown, was honoured with particular marks of approbation by the commander in chief in general orders; that he means to accompany general Conway to France, but has not the means of defraying his expences thither:" whereupon

Reſolved,

Reſolved, That major Thomas Mullens, who ſerved with honor the laſt campaign, have a brevet commiſſion of lieutenant colonel in the armies of the United States.

Ordered, That ſo much of the ſaid report as relates to an advance for lieutenant colonel Mullens's expences to France, be referred to the board of treaſury.

Colonel Spencer, commanding the brigade late brigadier Conway's, having recommended the reverend William Rogers to be chaplain to that brigade, Congreſs proceeded to an election, and the ballots being taken,

The reverend Mr. William Rogers was elected chaplain to the brigade late commanded by brigadier Conway.

Ordered, That the application of Mr. Rogers, for pay as brigade chaplain from July laſt, be referred to the committee at Camp.

The board of war, to whom were referred the letters from the late commiſſioners at Fort Pitt, dated April 27th, the letters from the commiſſioners for Indian affairs, convened at Albany the 15th of April, and ſundry letters from major general Schuyler, relative to the temper and diſpoſition of the Six Nations, report,

That from the information contained in the above papers, and from other information received through a variety of channels, it appears that the cruelties lately exerciſed by the ſavages on the frontiers of New-York, Pennſylvania and Virginia, are the commencement of an Indian war, which threatens with extenſive devaſtation the frontiers of theſe United States:

That the nations concerned in carrying on the ſame are the Senecas, Cayugas, Mingoes, Wiandots in general, a majority of the Onondagoes, and ſome few of the Ottowas, Chippawas, Shawaneſe and Delawares, acting contrary to the voice of their nations, amounting in the whole to about 1600 warriors, excluſive of ſeveral tories and other emiſſaries from the poſts occupied by the enemy in the Indian country:

That from the preſence of Mr. Butler and Mr. Magee, two of the Britiſh agents for Indian affairs, amongſt the Indians, and from a variety of other circumſtances it appears inconteſtibly that this cruel war has been induſtriouſly inſtigated, and is ſtill proſecuting with unrelenting perſeverance, by principal officers in the ſervice of the king of Great-Britain, particularly by colonel Hamilton, commanding officer of the garriſon of Detroit:

That

That the frequent attempts which have been made to conciliate the minds of the hoſtile tribes, and even the threats which have been made uſe of by the commiſſioners convened at Albany in April laſt, have produced no good effect; but on the contrary have confirmed the ſavages in an opinion induſtriouſly inculcated on them by the enemy, that the forbearance of theſe ſtates proceeds from their inability to revenge the outrages committed againſt them:

That the Delawares, Oneidas, Tuſcaroras, and other friendly Indians, are collecting themſelves in bodies, in order to guard againſt the impending ſtorm; and call loudly for aſſiſtance againſt enemies, whom they have rendered implacable by a warm and ſteady attachment to the cauſe of theſe ſtates:

That from the papers referred to the board, it appears to be the deſign of the enemy to take poſt this year at Oſwego:

That from the account given by captain White Eyes, a Delaware chief, to the commiſſioners of Indian affairs lately convened at Fort Pitt, the fortreſs of Detroit was, during the laſt winter, in the ſame defenceleſs ſituation it has been in for ſome years paſt:

Theſe circumſtances, collected from the various papers referred to them, the board have deemed it expedient to recapitulate, and after an attentive conſideration concur in opinion with the commiſſioners lately convened at Fort Pitt and at Albany, that a defenſive war would not only prove an inadequate ſecurity againſt the inroads of the Indians; but would in a ſhort time be more expenſive than a vigorous attempt to compel them to ſue for peace:" whereupon

Reſolved, That an expedition be immediately undertaken, the object of which ſhall be to reduce, if practicable, the garriſon of Detroit, and to compel to terms of peace ſuch of the Indian nations now in arms againſt theſe ſtates as lie on or contiguous to the route betwixt Fort Pitt and Detroit:

That three thouſand men be engaged in the ſervice of theſe ſtates, for the purpoſe above mentioned:

That Patrick Lockart, eſquire, be appointed to procure proviſions, pack-horſes and other neceſſaries for the army deſtined for the above mentioned operations:

That

That the governor and council of the ſtate of Virginia be requeſted, on the application of the board of war, or of brigadier M'Intoſh, to call forth ſuch a body of militia, not exceeding twenty-five hundred men, as ſhall be judged neceſſary to compleat the number of men appropriated for this ſervice :

That the ſum of nine hundred and thirty-two thouſand ſeven hundred and forty-three dollars and one third of a dollar be advanced from the treaſury, to the order of the board of war, to be by them applied towards defraying the expences of the expedition above mentioned :

That the board of war be directed to co-operate with brigadier M'Intoſh in every meaſure neceſſary for executing the intention of Congreſs ; and to give ſuch inſtructions to brigadier M'Intoſh and to the principal officers employed on this ſervice, as ſhall to them appear beſt adapted to anſwer the end of this expedition.

And whereas the ſucceſs of the expedition againſt Detroit may be facilitated, and the hoſtile tribes of Indians ſooner reduced to terms of peace, by another expedition from the Mohawk river to the Seneca country, in order to chaſtiſe that inſolent and revengeful nation, and to diſpoſſeſs the enemy from Oſwego, ſhould they have taken poſſeſſion of that poſt ; therefore

Reſolved, That major general Gates, or the officer commanding the troops on the eaſt ſide of Hudſon's river and in the northern department, be directed to take the moſt expeditious meaſures for carrying the war into the Senecas country, in order to reduce to terms of peace ſuch of the Six Nations as are hoſtile, and to diſpoſſeſs the enemy from Oſwego in caſe they ſhould have taken poſſeſſion of that poſt :

That the commiſſioners of Indian affairs in the northern department, or any of them who may be at Albany, be directed to co-operate with major general Gates and the officer appointed to command on this expedition, in the execution of this meaſure :

That the board of war give notice from time to time to major general Gates and the officer commanding the expedition againſt the Senecas, of the progreſs of the preparations making at Fort Pitt, and of the time when the troops from that quarter will ſet out on their march, in order that the two armies may, as far as is practicable, act in concert :

That major general Gates be directed to appoint a ſuitable officer to conduct the expedition into the Seneca country.

The committee to whom was referred the claim of Joſeph Carſon for a number of leather breeches furniſhed the army, brought in a report; whereupon

Reſolved, That the ſaid Joſeph Carſon be allowed the ſum of ſixteen dollars for each pair of leather breeches with which he furniſhed the army; and that the cloathier general do ſettle and adjuſt the accounts of the ſaid Joſeph Carſon, and pay him what ſhall appear to be due, agreeably to the above eſtimate.

A motion was made

That general Waſhington be directed to order an enquiry to be made into the conduct of major general Mifflin, late quartermaſter general, and the other officers who acted under him in that department; and if it ſhall appear that the extraordinary deficiencies thereof, and the conſequent diſtreſſes of the army, were chargeable to the miſconduct of the quartermaſter general or any of the ſaid officers, that a court-martial be forthwith held on the delinquents:

On motion that the conſideration thereof be poſtponed; the yeas and nays were required by Mr. Gerry, on the queſtion for poſtponing;

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
	Mr. Wentworth,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*no*	
	Mr. Dana,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*divided*
	Mr. Marchant,	*no*	
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Huntington,	*ay*	
	Mr. Wolcott,	*no*	
New-York,	Mr. Lewis,	*no*	*no*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*divided*
	Mr. Elmer,	*no*	
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Carroll,	*no*	*no*
	Mr. Plater,	*no*	
Virginia,			

Virginia,	Mr. R. H. Lee,	*ay*	
	Mr. Baniſter,	*no*	*no*
	Mr. T. Adams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Drayton,	*no*	
	Mr. Matthews,	*no*	*no*
	Mr. Hutſon,	*no*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

It was then moved to ſtrike out the word "forthwith;" and on the queſtion put

Reſolved in the affirmative.

On the queſtion put to agree to the motion as amended,

Reſolved in the affirmative.

A petition from ſundry inhabitants of the town of York, in behalf of John King, who is under ſentence of death for deſertion, was read; whereupon

Ordered, That the execution of the ſaid John King be ſuſpended till Tueſday next.

Adjourned to ten o'clock to-morrow.

FRIDAY, *June* 12, 1778.

A petition from colonel David Kennedy was read:

Ordered, That it be referred to the board of war.

Congreſs being informed that Mr. P. Livingſton, one of the delegates for the ſtate of New-York, died laſt night, and that circumſtances require that his corps be interred this evening;

Reſolved, That Congreſs will in a body attend the funeral this evening at ſix o'clock, with a crape round the arm, and will continue in mourning for the ſpace of one month.

Ordered, That Mr. Lewis, Mr. Duer and Mr. G. Morris, be a committee to ſuperintend the funeral, and that the reverend Mr. Duffield, the attending chaplain, be notified to officiate on the occaſion.

The committee to whom was referred the letter of the 9th from general Waſhington, with the papers incloſed, brought in a report, which was taken into conſideration, and after debate

Ordered, That the farther conſideration thereof be poſtponed.

The

The committee appointed to examine the evidence collected and ſtate charges againſt the general officers who were in the northern department, when Ticonderoga and Mount Independence were evacuated, brought in a report, which was read;

Ordered to lie on the table.

Adjourned to ten o'clock to-morrow.

SATURDAY, *June* 13, 1778.

A letter of this day from captain Robert Smith, lately appointed ſecretary to the board of war and ordnance, was read, requeſting to be informed whether the appointment is conſidered as inconſiſtent with that which he at preſent holds in the army, and if it is, expreſſing a deſire to continue in the line, in which he has for ſome time been engaged; whereupon

Reſolved, That captain Smith have leave to reſign his appointment as ſecretary to the board of war and ordnance.

Ordered, That Tueſday next be aſſigned for electing a ſecretary to the board of war and ordnance.

A letter of the 8th from general Greene, quartermaſter general, was read;

Ordered, That it be referred to a committee of three;

The members choſen Mr. Sherman, Mr. Witherſpoon and Mr. R. H. Lee.

A letter of this day from captain John M'Pherſon was read:

Ordered, That it be referred to the marine committee.

A paper from Mr. de Francey was laid before Congreſs:

Ordered, That it be referred to the committee of commerce.

A report from the board of war, relative to Mr. du Cambray, being read and conſidered,

Reſolved, That monſieur du Cambray be annexed to the corps of engineers commanded by brigadier du Portail, with the rank and pay of a lieutenant colonel.

Reſolved, That the delegates from the ſtates of New-Hampſhire, Maſſachuſetts-Bay and Connecticut, be requeſted to write in the name of this Congreſs, to their reſpective ſtates, ſetting forth the urgent neceſſity of their immediately raiſing the quota of troops by them reſpectively agreed on, to be under the command of major gene-

ral

ral Sullivan, for the relief of the ſtate of Rhode-Iſland and Providence Plantations, and to prevent further depredations of the enemy in that ſtate.

Congreſs reſumed the conſideration of the report of the committee on the letter of the 9th from general Waſhington, with the papers incloſed:

During the debate an expreſs arrived with a letter of the 11th from general Waſhington, which was read, alſo a packet, in which was incloſed, together with other papers, a letter ſigned "Carliſle, William Eden, George Johnſtone," dated Philadelphia, June the 9th, 1778, and directed "to his excellency Henry Laurens, the preſident, and others the members of Congreſs;" which letter was read to the words, "inſidious interpoſition of a "power, which has from the firſt ſettlement of the co- "lonies been actuated with enmity to us both: and, not- "withſtanding the pretended date or preſent form of "the French offers," incluſive; whereupon the reading was interrupted, and a motion was made not to proceed farther, becauſe of the offenſive language againſt his Moſt Chriſtian Majeſty: debates ariſing thereon,

Ordered, That the farther conſideration of the motion be poſtponed.

Adjourned to ten o'clock on Monday.

MONDAY, *June* 15, 1778.

A letter of the 1ſt from B. Harriſon, junior, deputy paymaſter general in Virgnia, with a copy of his accounts, was laid before Congreſs:

Ordered, That it be referred to the board of treaſury.

A letter of the 5th from W. Aylett, deputy commiſſary general of purchaſes, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Dana, Mr. Lewis and Mr. Hutſon.

A letter of May 26th from governor Henry of Virginia, to the delegates of that ſtate, was laid before Congreſs and read:

Ordered, That it be referred to the foregoing committee.

Another letter of May 23d from governor Henry to the delegates, incloſing a reſolution paſſed by the houſe of delegates of Virginia, May 18th, was read:

Ordered, That the conſideration thereof be poſtponed,

A letter of May 25th from major general Heath, incloſing ſundry papers, was read.

A letter

A letter of the 10th from major general Gates, with ſundry papers incloſed, was read:

Ordered, That it be referred to the board of war.

A letter from Udney Hay was read.

The committee on the treaſury brought in a report; whereupon

Ordered, That ninety thouſand dollars be advanced to W. Buchanan, late commiſſary general of purchaſes, to be by his requeſt paid to Daniel Kellogg, who is to tranſmit the ſame to Henry Champion, purchaſer of cattle in the eaſtern diſtrict; the ſaid W. Buchanan to be accountable.

The commiſſioners of claims report, that there is due to the reverend Mr. Lotbinier, chaplain, for his pay and rations to the 10th inſtant, the ſum of fifty-three dollars and 63-90ths:

Ordered, That the ſaid account be paid.

The auditor general and commiſſioners of claims having, in conſequence of the reſolution of May 25th, reported upon the accounts of doctor Forſter,

Ordered, That it be referred to the board of treaſury, and that the accounts of doctor Forſter be adjuſted agreeably to the ſaid report, when he ſhall produce vouchers ſhewing the expenditures of the ſtores by him procured and charged in the ſaid account.

A letter of the 1ſt from F. Hopkinſon, incloſing an account for compiling indexes to the two firſt volumes of the journals of Congreſs, and directed to the committee appointed to ſuperintend the publication, was laid before Congreſs:

Ordered, That it be referred to the board of treaſury.

Three o'clock, P. M.

Congreſs reſumed the conſideration of the motion reſpecting the letter from the commiſſioners of the king of Great-Britain, and after debate thereon

Adjourned to ten o'clock to-morrow.

TUESDAY, *June* 16, 1778.

Reſolved, That the board of war be directed to order colonel Hartley's regiment immediately to repair to Camp and join the army.

Reſolved, That a committee of three be appointed to prepare a reſolution for preventing any correſpondence with the enemy; The

The members chosen Mr. Drayton, Mr. S. Adamsend Mr. R. H. Lee.

A letter of the 13th from J. Nourse, secretary to the board of war and ordnance, was read:

Ordered, That it be referred to the board of treasury.

A memorial from captain Talleman and other French captains in the port of Boston, was read, complaining of an affront offered by the captain of the Warren frigate to their commandant, and praying redress:

Ordered, That it be referred to the marine committee, and that they be directed to take order thereon.

A letter of the 11th from colonel B. Flower, commissary general of military stores, was read:

Ordered, That it be referred to the board of treasury.

The committee on the treasury brought in a report; whereupon

Ordered, That seven thousand seven hundred and eighty-four dollars and 60-90ths be advanced to the delegates of Virginia, upon their application, for the use of that state, which is to be accountable:

That seven hundred and fifty thousand dollars be advanced to J. Nourse, paymaster to the board of war and ordnance, to be by him transmitted to Jonathan Trumbull, esquire, paymaster in the northern department, for the use of the said department and the posts on Hudson's river; the said J. Trumbull to be accountable.

The committee to whom was referred the letter of the 8th from general Greene, quartermaster general, brought in a report, which was read:

Ordered, That it be referred to the board of treasury.

Congress resumed the consideration of the motion respecting the letter from the commissioners of the King of Great-Britain, which was amended to read as follows:

That Congress cannot hear any language reflecting upon the honor of his Most Christian Majesty, the good and faithful ally of these states:

A motion was made that the consideration thereof be postponed, and on the question being put, the yeas and nays being required by Mr. Drayton,

New-Hampshire,	Mr. Bartlett,	*ay*	*ay*
	Mr. Wentworth,	*ay*	
Massachusetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*no*	
	Mr. Dana,	*ay*	
	Mr. Lovell,	*ay*	Rhode-

Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Marchant,	*ay*	
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Huntington,	*ay*	
	Mr. Wolcott,	*ay*	
New-York,	Mr. Lewis,	*ay*	*divided*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Elmer,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. J. B. Smith,	*ay*	
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Plater,	*no*	*divided*
	Mr. Carroll,	*ay*	
Virginia,	Mr. R. H. Lee,	*no*	*no*
	Mr. Baniſter,	*no*	
	Mr. T. Adams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*no*	
	Mr. Hutſon,	*no*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it was reſolved in the affirmative.

A motion was then made that the letter from the commiſſioners of the king of Great-Britain lie on the table;

Paſſed in the negative.

Ordered, That the letters and papers accompanying it be read: whereupon

A letter of the 9th and one dated June 1778, both ſigned Carliſle, William Eden, and George Johnſtone; and a paper indorſed "copy of the commiſſion for reſtoring peace, &c. To the Earl of Carliſle, lord viſcount Howe, William Eden, and George Johnſtone;" and alſo three acts of the parliament of Great-Britain; were read:

Ordered, That they be referred to a committee of five;

The members choſen Mr. R. H. Lee, Mr. S. Adams, Mr. Drayton, Mr. G. Morris and Mr. Witherſpoon.

Three o'clock, P. M.

Congreſs took into conſideration a report from the committee on the treaſury, dated May 5th; whereupon

Reſolved,

Resolved, That the board of war and ordnance be authorised till the further order of Congress, to encrease the salary of the secretary of the board of ordnance and paymaster of the said board of war and ordnance, to a sum not exceeding one hundred dollars per month; and that the committee of commerce, the marine committee, the committee of treasury, board of war and ordnance and secretary of Congress, be authorised to encrease the salary of their clerks respectively to a sum not exceeding one hundred dollars per month; having due regard to their qualifications and employments.

The committee to whom were referred the letters and papers from the earl of Carlisle, &c. commissioners from the king of Great-Britain, reported the draught of a letter, which was read:

Ordered, That the farther consideration thereof be postponed till to-morrow.

A report from the board of war was read; whereupon Congress came to the following resolution:

Whereas Congress on the 2d day of May last resolved that two regiments be raised in Virginia and Pennsylvania, to serve for one year, and it is expedient that as many as possible of the non-commissioned officers and soldiers should provide themselves with arms and other necessaries:

Resolved, That each non-commissioned officer and soldier of the said regiments, who shall so provide himself with arms and other necessaries, shall receive the following compensations, to be paid as soon as he has passed muster, upon his producing the said articles, viz.

For a good serviceable rifle, with a powder horn, bullet pouch and mould, eight dollars:

For a good serviceable musket, with a bayonet and a powder horn and bullet pouch, or good cartouch box, six dollars:

For a like musket and accoutrements, without a bayonet, five dollars:

For a knapsack two dollars:

For a haversack one dollar:

For a blanket eight dollars.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *June* 17, 1778.

A letter of the 2d from general Schuyler, with papers of intelligence inclosed, was read: *Ordered*,

Ordered, That it be referred to the board of war.

A letter of the 4th from governor Livingſton was read, with four affidavits incloſed reſpecting the enemy's treatment of citizens of New-Jerſey at Hancock's bridge;

Ordered, That they be referred to the committee appointed to prepare a manifeſto on the conduct of the enemy.

Ordered, That the ſaid committee proceed with all diſpatch in the buſineſs committed to them, and publiſh ſuch facts relative to the conduct of the enemy as they may have collected and have come to them well authenticated.

A letter of the 8th from governor Livingſton, and one of May 29th from governor Clinton, were read.

The committee on the treaſury brought in a report; whereupon

Ordered, That to-morrow be aſſigned for electing a commiſſioner of accounts for the northern diſtrict.

Ordered, That four thouſand dollars be advanced to the committee of commerce, to pay a bill for that ſum drawn by John Bradford, continental agent at Boſton, on the ſaid committee, in favour of captain Patrick Brown, dated the 13th of May laſt; the ſaid committee to be accountable:

That ſix hundred thouſand dollars be advanced to the board of war and ordnance, being in part of the nine hundred and thirty-two thouſand ſeven hundred and forty-three dollars and 30-90ths voted the 11th inſtant for carrying on an expedition againſt the Indians; the ſaid board to be accountable.

A letter of the 16th from the board of war was read.

Congreſs reſumed the conſideration of the draught of a letter in anſwer to the letters and papers from the earl of Carliſle, &c. commiſſioners of the king of Great-Britain:

On the queſtion to agree to the ſaid draught, the yeas and nays were required by Mr. Dana,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
	Mr. Wentworth,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Dana,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Marchant,	*ay*	

Connecticut,

Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Huntington,	*ay*	
	Mr. Wolcott,	*ay*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Elmer,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. J. B. Smith,	*ay*	
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Plater,	*ay*	*ay*
	Mr. Carroll,	*ay*	
Virginia,	Mr. R. H. Lee,	*ay*	*ay*
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*ay*	
	Mr. Hutſon,	*ay*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was unanimouſly agreed to, and is as follows:

"I HAVE received the letter from your excellencies of the 9th inſtant, with the incloſures, and laid them before Congreſs. Nothing but an earneſt deſire to ſpare the further effuſion of human blood could have induced them to read a paper containing expreſſions ſo diſreſpectful to His Moſt Chriſtian Majeſty, the good and great ally of theſe ſtates, or to conſider propoſitions ſo derogatory to the honor of an independent nation.

The acts of the Britiſh parliament, the commiſſion from your ſovereign, and your letter ſuppoſe the people of theſe ſtates to be ſubjects of the crown of Great-Britain, and are founded on the idea of dependence, which is utterly inadmiſſible.

I am further directed to inform your excellencies, that Congreſs are inclined to peace, notwithſtanding the unjuſt claims from which this war originated and the ſavage manner in which it hath been conducted. They will therefore be ready to enter upon the conſideration of a treaty of peace and commerce not inconſiſtent with trea-

ties

ties already ſubſiſting, when the king of Great-Britain ſhall demonſtrate a ſincere diſpoſition for that purpoſe. The only ſolid proof of this diſpoſition will be an explicit acknowledgment of the independence of theſe ſtates or the withdrawing his fleets and armies.

I have the honour to be,

Your excellencies moſt obedient and

Humble ſervant."

Reſolved, That a committee of three be appointed to make proper extracts from the journal and files relative to the letters received from the British commiſſioners, and report to Congreſs previous to a publication;

The members choſen Mr. G. Morris, Mr. R. H. Lee, and Mr. Drayton.

Reſolved unanimouſly, That Congreſs approve the conduct of general Waſhington in refuſing a paſſport to doctor Ferguſon.

The committee appointed to report upon the means of preventing a correſpondence with the enemy brought in a report; whereupon Congreſs came to the following reſolution:

Whereas many letters, addreſſed to individuals of theſe United States, have been lately received from England through the conveyance of the enemy, and ſome of them which have been under the inſpection of Congreſs, are found to contain ideas inſidiouſly calculated to divide and delude the good people of theſe ſtates:

Reſolved, That it be and it is hereby earneſtly recommended to the legiſlative and executive authorities of the ſeveral ſtates to exerciſe the utmoſt care and vigilance, and take the moſt effectual meaſures to put a ſtop to ſo dangerous and criminal a correſpondence.

Reſolved, That the commander in chief and the commanders in each and every military department be, and he and they are hereby directed to carry the meaſures recommended in the above reſolution into the moſt effectual execution.

Ordered, That the foregoing reſolutions be forthwith publiſhed, and it is recommended to the ſeveral printers in the United States to re-publiſh the ſame.

Adjourned to ten o'clock to-morrow.

THURSDAY, *June* 18, 1778.

A letter of the 15th from general Waſhington was read:

Ordered,

Ordered, That it be referred to the board of war, and that the board be directed to report to Congreſs the grounds and terms upon which the exchange of priſoners between general Waſhington and general Clinton has taken place.

A letter of the 17th from Mr. William Carmichael, at York-Town, was read:

Ordered, That it be referred to the committee on foreign affairs.

The committee appointed to make proper extracts from the journals and files, &c. made their report; whereupon it was moved

That the letters from the commiſſioners and their commiſſion, together with the letter of Congreſs in anſwer thereto, being part of the ſaid report, and no more, be publiſhed:

Queſtion put, paſſed in the negative.

A motion was then made that the amended motion, with the motion for poſtponing the conſideration thereof, and the yeas and nays as entered on the 16th, be publiſhed:

On which the previous queſtion was moved, and the yeas and nays being required by Mr. Witherſpoon,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
	Mr Wentworth,	*ay*	
Maſſachuſetts Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Dana,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Marchant,	*ay*	
New-York,	Mr. Lewis,	*ay*	*divided*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*divided*
	Mr. Elmer,	*ay*	
Pennſylvania,	Mr. J. B. Smith,	*no*	*divided*
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr Plater,	*no*	*divided*
	Mr. Carroll,	*ay*	
Virginia,	Mr. R. H. Lee,	*ay*	*ay*
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	

South-

South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Drayton,	*no*	
	Mr. Matthews,	*ay*	*ay*
	Mr. Hutſon,	*ay*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the affirmative, and the motion was ſet aſide.

Ordered, That the extracts made by the committee be publiſhed.

Three o'clock, P. M.

A letter of the 16th from Mr. Holker, at York-Town, with ſundry papers incloſed, was read:

A motion was made that the ſame be committed, and

On the queſtion put, the yeas and nays being required by Mr. R. H. Lee,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	
	Mr. Gerry,	*ay*	*ay*
	Mr. Dana,	*no*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
	Mr. Marchant,	*no*	
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Huntington,	*ay*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Elmer,	*ay*	
Pennſylvania,	Mr. J. B. Smith,	*ay*	*ay*
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Plater,	*ay*	*ay*
	Mr. Carroll,	*ay*	
Virginia,	Mr. R. H. Lee,	*no*	
	Mr. Baniſter,	*ay*	*ay*
	Mr. T. Adams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*ay*	*ay*
	Mr. Hutſon,	*ay*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So

So it was resolved in the affirmative.

Resolved, That the committee consist of three;

The members chosen Mr. G. Morris, Mr. Witherspoon and Mr. M'Kean.

A motion was then made, that the committee be limited to confer with Mr. Holker on the subject of the payment of four hundred thousand livres to persons interested therein, as owners or otherwise concerned in the private vessels of war Hancock and Boston:

On which the previous question was moved, and the yeas and nays being required by Mr. R. H. Lee,

New-Hampshire,	Mr. Bartlett,	*ay*	*ay*
Massachusetts-Bay,	Mr. S Adams,	*no*	*no*
	Mr. Gerry,	*ay*	
	Mr. Dana,	*no*	
	Mr. Lovell,	*no*	
Rhode-Island,	Mr. Ellery,	*no*	*no*
	Mr. Marchant,	*no*	
Connecticut,	Mr. Sherman,	*ay*	*ay*
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jersey,	Mr. Witherspoon,	*no*	*no*
	Mr. Elmer,	*no*	
Pennsylvania,	Mr. J. B. Smith,	*no*	*no*
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Plater,	*no*	*no*
	Mr. Carroll,	*no*	
Virginia,	Mr. R. H. Lee,	*no*	*no*
	Mr. Banister,	*no*	
	Mr. T. Adams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*ay*	
	Mr. Hutson,	*no*	
	Mr. Heyward,	*no*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it passed in the negative.

The main question was then put; the yeas and nays being required by Mr. S. Adams,

New-Hampshire,	Mr. Bartlett,	*no*	*no*
Massachusetts-Bay,	Mr. S. Adams,	*ay*	*divided*
	Mr. Gerry,	*no*	
	Mr. Dana,	*ay*	
	Mr. Lovell,	*no*	

Rhode-

Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Marchant,	*ay*	
Connecticut,	Mr. Sherman,	*ay*	*ay*
New York,	Mr. Lewis,	*no*	*no*
	Mr. Duer,	*no*	
New Jerſey,	Mr. Witherſpoon,	*no*	*divided*
	Mr Elmer,	*ay*	
Pennſylvania,	Mr. J. B. Smith,	*no*	*no*
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Plater,	*no*	*no*
	Mr. Carroll,	*no*	
Virginia,	Mr. R H. Lee,	*ay*	*no*
	Mr. Baniſter,	*no*	
	Mr. T. Adams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr Drayton,	*no*	
	Mr. Matthews,	*no*	
	Mr. Hutſon,	*no*	
	Mr. Heyward,	*no*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

The marine committee brought in a report; whereupon

Reſolved, That the commiſſioners of the reſpective continental navy boards and the perſons by them appointed to conſtitute marine courts-martial, be authoriſed to adminiſter oaths when acting on ſuch courts-martial; and that the ſaid commiſſioners have alſo authority to adminiſter oaths in caſes where they may be neceſſary upon the ſettlement of ſuch marine accounts as may come under conſideration of the ſaid commiſſioners.

A letter of this day from general Conway was read.

Adjourned to ten o'clock to-morrow.

FRIDAY, *June* 19, 1778.

Mr. Hancock, a delegate from Maſſachuſetts-Bay, attended and took his ſeat in Congreſs.

Mr. Scudder, a delegate from New-Jerſey, alſo attended and took his ſeat in Congreſs.

A letter of the 15th from governor Livingſton, with a paper incloſed relative to the conduct of the enemy, was read:

Ordered, That it be referred to the committee appointed to prepare a manifeſto, &c.

A

A letter of May 30th from Samuel Freeman, ſpeaker, pro tempore, of the aſſembly of Maſſachuſetts-Bay, was read:

Ordered, That it be referred to the board of war.

Ordered, That the letter of May 25th from major general Heath, which was read the 15th inſtant, be alſo referred to the board of war.

A petition from ſundry navy officers and declarations reſpecting captain Burke, and a petition from four captains and four lieutenants of marines, were read:

Ordered, That the ſame be referred to the marine committee.

A letter of the 1ſt from John Browne, preſident of the board of war of Maſſachuſetts-Bay, with a manifeſt of the cargo of the Lady of Mount Carmel and St. Antonio incloſed, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. R. H. Lee, Mr. Ellery and Mr. Dana.

A letter of May 6th from James Whiteſield, ſpeaker of the aſſembly of Georgia; two of April 13th from major general R. Howe at Savannah; one of April 16th from governor Houſton of Georgia, and the proceedings of the aſſembly of that ſtate; were laid before Congreſs:

Ordered, That they be referred to a committee of three;

The members choſen Mr. Drayton, Mr. M'Kean and Mr. Duer.

The committee for foreign affairs laid before Congreſs ſundry letters from the commiſſioners at foreign courts, among which were one of the 6th, one of the 15th, and one of the 31ſt of January, ſigned A. Lee, directed to the honorable the chairman of the committee of correſpondence; one of the 16th of January ſigned B. Franklin and Silas Deane, directed to the honorable the committee of foreign affairs of the United States of North-America; Mr. Duer alſo laid before Congreſs a letter directed to him from Ralph Izard, dated Paris, December 22d, 1777:

Ordered, That they be referred to a committee of five;

The members choſen Mr. Witherſpoon, Mr. Dana, Mr. G. Morris, Mr. Drayton and Mr. Heyward.

Mr. Lovell alſo laid before Congreſs a letter of December 21ſt, 1777, from B. Franklin, which was read.

Three o'clock, P. M.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer for one million five hundred thouſand dollars; and another warrant on Thomas Smith, eſquire, commiſſioner of the loan-office in the ſtate of Pennſylvania, for five hundred thouſand dollars, in favour of Charles Pettit, eſquire, upon an application of major general Greene, quarter-maſter general, for the uſe of his department; general Greene to be accountable:

That one million ſeven hundred thouſand dollars be advanced to Jeremiah Wadſworth, eſquire, commiſſary general of purchaſes, for the uſe of his department; he to be accountable:

That one hundred thouſand dollars be paid to Joſeph Nourſe, paymaſter of the board of war and ordnance, to be by him tranſmitted to colonel Benjamin Flower, commiſſary general of military ſtores, for the uſe of his department:

That three hundred thouſand dollars be advanced to Jeremiah Wadſworth, commiſſary general of purchaſes, to be paid to Mr. Frederick Traſy, for the uſe of the commiſſary general's department; the ſaid Jeremiah Wadſworth to be accountable.

Reſolved, That the ſum of eight thouſand two hundred and twenty-three livres tournois and four ſous, and two hundred dollars, be allowed to major general Conway, as a gratuity for his time and expences previous to his entering into the pay of the United States, and for his return to France; and that bills of exchange be drawn by the preſident on the commiſſioners at Paris, in favour of major general Conway, for ſeven thouſand ſeven hundred and ninety-two livres tournois; and that a warrant iſſue on the treaſurer for three hundred and twenty-one dollars and 30-90ths in favour of the ſaid general Conway; which ſums are the balance of his account with the United States.

Reſolved, That bills of exchange for one hundred and ten livres tournois be drawn by the preſident in favour of lieutenant colonel Mullens, on the commiſſioners at Paris; and that a warrant iſſue on the treaſurer in favour of lieutenant colonel Mullens, for four hundred and forty-two dollars and 8-90ths, which ſums are the balance of his

accounts

accounts with the United States, and that the ſame be delivered to general Conway.

The marine committee brought in a report; whereupon

Reſolved, That captain Peter Landais be appointed to command the new frigate called the Alliance.

Reſolved, That colonel William Malcolm, deputy adjutant general in the army now under the command of major general Gates, be permitted to hold his rank in the army, and his regiment, if the ſame ſhall be kept up in the new arrangement now making.

Reſolved, That to-morrow be aſſigned for taking into conſideration the articles of confederation.

Congreſs proceeded to the election of a commiſſioner of accounts in the northern department, and the ballots being taken

Edward Chinn, eſquire, was elected.

Adjourned to ten o'clock to-morrow.

SATURDAY, *June* 20, 1778.

Mr. John Collins, a delegate from Rhode-Iſland, attended and took his ſeat in Congreſs.

A letter of the 18th from general Waſhington was read, informing that the enemy have evacuated Philadelphia:

Ordered, That it be referred to the committee of intelligence.

A letter of the 11th from governor Livingſton, and one of May 28th from colonel Ethan Allen, were read:

Ordered, That the letter from colonel Allen be referred to the board of war.

The committee on Indian affairs, to whom was referred the letter of the 10th from colonel G. Morgan, brought in a report; whereupon

Reſolved, That the committee of commerce be directed to procure goods and ſuch other articles as are proper for preſents to the weſtern Indian nations, to the amount of ten thouſand dollars, and tranſmit the ſame to Fort Pitt to the commiſſioners, who are to treat with the Indians there on the 23d day of July next: and that the ſaid commiſſioners be directed to diſpoſe of the goods among the ſaid Indians in ſuch manner as they ſhall judge will beſt conduce to conciliate their affections and ſecure them in the intereſt of theſe ſtates:

That the ſaid commiſſioners be impowered to draw on the military cheſt at Fort Pitt for ſuch ſums as ſhall be neceſſary

ceſſary to defray the contingent expences of the ſaid treaty.

Ordered, That the ſeveral boards of Congreſs put themſelves in readineſs to remove from this place.

A motion being made for an advance of one hundred thouſand dollars to the ſtate of New-York,

Ordered, That it be referred to the board of treaſury.

The committee on the treaſury brought in a report; whereupon

Reſolved, That five millions of dollars be emitted under the directions of the board of treaſury, and on the faith of the United States:

That the bills ſhall, excepting the numbers, be of the ſame tenor and date as the emiſſion directed on the 11th day of April laſt, and be numbered from the laſt number of each reſpective denomination progreſſively, and conſiſt of the following denominations, viz.

41,667	of the denomination of	40 dollars,	1,666,680
41,667	ditto	30 ditto	1,250,010
41,666	ditto	20 ditto	833,320
41,666	ditto	8 ditto	333,328
41,666	ditto	7 ditto	291,662
41,666	ditto	6 ditto	250,002
41,666	ditto	5 ditto	208,330
41,667	ditto	4 ditto	166,668
			5,000,000

That all the powers and duties of Michael Hillegas, eſquire, and of the inſpectors of the preſs, ſigners and printers of the emiſſion directed on the 20th day of May, 1777, ſhall extend to the ſaid five millions of dollars now to be emitted, ſubject however to ſuch directions and inſtructions as the board of treaſury may judge expedient.

The committee on the treaſury report,

"That the commiſſioners of claims have communicated to the board ſundry errors in the accounts of B. Flower, commiſſary general of military ſtores, referred to them for their examination, and that it appears to the board that ſome of the accounts and receipts ſtrongly indicate intentions of fraud in Cornelius Sweers, deputy commiſſary general of military ſtores:" whereupon

Reſolved, That the board of war be directed forthwith to cauſe the ſaid Cornelius Sweers to be arreſted and ſecured until farther enquiry can be made into his conduct in the premiſes.

Congreſs

Congreſs proceeded to take into conſideration the articles of confederation: and

On motion

Reſolved, That the delegates of the ſtates, beginning with New-Hampſhire, be called upon for the report of their conſtituents upon the confederation, and the powers committed to them; and that no amendments be propoſed but ſuch as come from a ſtate.

Reſolved, That the proceeding on the articles of confederation be poſtponed to Monday next, and that it be taken up immediately after the reading of the public letters and reports of the treaſury, if any there are.

Ordered, That a copy of the report of the committee appointed to examine the evidence collected and to ſtate the charges againſt the general officers who were in the northern department when Ticonderoga and Mount Independence were evacuated, and which is on the files, be ſent to general Waſhington, and that he be directed to appoint a court-martial to proceed to trial.

Six o'clock, P. M.

A letter of the 18th from general Waſhington, accompanied with the proceedings of the court of enquiry reſpecting the loſſes of the forts in the Highlands, was read:

Ordered, That the proceedings of the court of enquiry be referred to the board of war.

Adjourned to ten o'clock to-morrow.

MONDAY, *June* 22, 1778.

Mr. Samuel Holten, a delegate from Maſſachuſetts-Bay, attended and took his ſeat in Congreſs.

A letter of the 15th from colonel Forman, directed to N. Scudder, eſquire, a delegate from New-Jerſey, was laid before Congreſs and read:

Ordered, That it be referred to the boards of war and of treaſury.

A letter of the 6th and one of the 9th from major general Heath were read:

Ordered, That the letter of the 9th be referred to the board of war, and that they conſer with the committee lately ſent to Camp, and give the neceſſary orders.

A letter of the 13th from major general Sullivan was read, incloſing one of the 5th from governor Trumbull, and one of the 13th from governor Greene:

Ordered, That the ſame be referred to a committee of five;

The

The members chosen Mr. S. Adams, Mr. Wentworth, Mr. Ellery, Mr. Sherman and Mr. Hancock.

A letter of the 25th of May from governor Caswell was read.

A letter of the 10th from W. Aylett, esquire, deputy commissary general of purchases, was read, with sundry papers inclosed:

Ordered, That the same be referred to the board of war.

A letter of the 19th from governor Johnson was read, with sundry papers inclosed relative to instructions given to major Lee:

Ordered to lie on the table till the afternoon.

The committee on the treasury brought in a report; whereupon

Ordered, That one hundred thousand dollars be advanced to the delegates of New-York, for the use of that state, which is to be accountable:

That five hundred dollars be advanced to Mr. E. Langworthy, one of the delegates of Georgia, to enable him to pay a bill drawn by James Whitefield, esquire, speaker of the house of assembly, expressed to be for paying an express from Georgia; the said state to be accountable:

That two thousand dollars be paid to Robert Cochran, in discharge of three bills of exchange drawn by John Ashe, treasurer of the state of North-Carolina, two of which are dated the 18th of March, 1777, in favor of Peter Mallet, for three hundred and seventy five dollars each; the other dated May 20th, 1777, in favour of Peter and Daniel Mallet, for one thousand two hundred and fifty dollars; all expressed to be for the purchase of provisions; the said state of North-Carolina to be accountable.

Congress proceeded to consider the objections of the states to the articles of confederation; whereupon the delegates of Maryland read to Congress instructions they had just received from their constituents; and moved

That the objections from the state of Maryland to the confederation be immediately taken up and considered by Congress, that the delegates from Maryland may transmit to that state, with all possible dispatch, the determination of Congress on those objections:

Question put,

Resolved in the affirmative.

A motion was then made in behalf of Maryland,

"In

"In article 4, ſtrike out the word "paupers," and after the words "or either of them," inſert "that one ſtate ſhall not be burthened with the maintenance of the poor who may remove into it from any of the others in the union:"

Queſtion put,

Paſſed in the negative, one ſtate only anſwering ay.

Another amendment was moved in behalf of Maryland,

Article 8, after the words "granted to or ſurveyed for," inſert "or which ſhall hereafter be granted to or ſurveyed for any perſon:"

Queſtion put,

Paſſed in the negative, 4 ays, 8 noes.

A third amendment was moved in behalf of Maryland,

Article 9, after the words "ſhall be deprived of territory for the benefit of the United States," inſert "the United States in Congreſs aſſembled ſhall have the power to appoint commiſſioners, who ſhall be fully authoriſed and impowered to aſcertain and reſtrict the boundaries of ſuch of the confederated ſtates which claim to extend to the river Miſſiſippi or South Sea:" after debate

Reſolved, That the conſideration thereof be poſtponed till to-morrow.

Adjourned to ten o'clock to-morrow.

TUESDAY, *June* 23, 1778.

Mr. Titus Hoſmer, a delegate from Connecticut, attended and took his ſeat in Congreſs.

A letter of the 16th from B. Elliot, directed to Mr. Roberdeau, was laid before Congreſs and read:

Ordered, That it be referred to the board of war.

A letter of the 20th from general Waſhington, and one of the 17th from general Gates, with papers incloſed, were read:

Ordered, That the letter from general Gates be referred to the board of war.

The commiſſioners of claims at the board of treaſury report,

That there is due to Francis Lewis, eſquire, for his expences to, in and from North-Carolina, when ſent to purchaſe goods for the army, nine hundred and twenty-five dollars and 60-90ths:

To

To Robert Patton, for his pay as meſſenger to Congreſs, and for extra ſervices, &c. from January 21ſt to June 15th, 1778, both days incluſive, two hundred and ninety-three dollars:

To Mrs. E. Swoope, for lodging and boarding baron Steuben, his two aids and two ſervants thirteen days, one hundred and four dollars:

Ordered, That the ſaid accounts be paid.

A letter of the 22d from the board of war was read:

Ordered, That it be referred to the board of treaſury.

Ordered That the board of war eſtimate the expence of the fort lately built by Mr. Roberdeau in Bedford county in Pennſylvania, and report the ſame to Congreſs, with their opinion by whom the ſame ought to be defrayed.

Reſolved, That general Gates be and he is hereby authoriſed to diſmiſs all the ſupernumerary ſtaff officers in the diſtrict under his command.

Reſolved, That ſo much of general Gates's letter of the 17th, and the papers incloſed, as relates to ſupernumerary officers of the ſtaff, be referred to the committee of arrangement; and that they be directed to report a plan for preventing the extraordinary expence ariſing from the appointment of ſuch officers.

Reſolved, That the board of war be directed to collect the ſtandards and colours taken from the enemy by the army of the United States ſince the commencement of the war.

The board of war report,

"That the two independent companies raiſed in the town of Weſtmoreland, lately commanded by the captains Durkee and Ranſom, are reduced by various cauſes to about eighty-ſix non-commiſſioned officers and privates; and that there is no chance of their being compleated to the eſtabliſhment; that the ſaid companies are now detached from the main army for the defence of the frontiers:" whereupon

Reſolved, That the two independent companies, lately commanded by the captains Durkee and Ranſom, which were raiſed in the town of Weſtmoreland, be united and form one company:

That lieutenant Simon Spaulding be appointed captain, and lieutenants Timothy Pierce and Phineas Pierce lieutenants of the ſaid company; the ſaid lieutenants to take rank, Timothy Pierce from the 16th of January laſt, and

and Phineas Pierce from the 1ſt of April laſt, the times they were reſpectively appointed to act as lieutenants in the ſaid companies.

A motion was made,

"That the committee lately at Camp be directed to prepare an amendment to the reſolution for apportioning the number of battalions to the ſeveral ſtates, and to report on the propriety of further reducing them, and alſo the ſixteen battalions, ſo called:"

On motion made, and the queſtion put, that the conſideration thereof be poſtponed; the yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts Bay,	Mr. Hancock,	*ay*	
	Mr. S. Adams,	*ay*	
	Mr. Gerry,	*ay*	*ay*
	Mr. Dana,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Marchant,	*ay*	
	Mr. Collins,	*ay*	
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Wolcott,	*ay*	
	Mr. Hoſmer,	*ay*	
New-York,	Mr. Lewis,	*no*	*no*
	Mr. Duer,	*no*	
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Elmer,	*ay*	
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. James Smith,	*ay*	
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Plater,	*ay*	*ay*
	Mr. Carroll,	*ay*	
Virginia,	Mr. R. H. Lee,	*ay*	*ay*
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*no*	
	Mr. Hutſon,	*no*	
	Mr. Heyward,	*ay*	

Georgia,	Mr. Langworthy,	*no* 1 *no*

So it was resolved in the affirmative.

A report from the board of war was read; whereupon

Resolved, That each non-commissioned officer and soldier who hath inlisted or shall inlist into the company of foot ordered to be raised in the town of Westmoreland, on the east branch of the Susquehannah, by the resolution of the 16th of March last, shall receive the sums for finding his own arms, accoutrements and blanket, as were allowed by a resolve of the 16th instant to the non-commissioned officers and soldiers of the two regiments raising in Virginia and Pennsylvania to serve for one year; the said sums to be paid them immediately upon their passing muster before the colonel, or in his absence the next commanding officer of the militia in the said town, and producing the necessary articles of equip mentioned in the said resolve of the 16th instant:

That the sum of one thousand four hundred and forty dollars be granted to the board of war, to be issued to colonel Dennison, of Westmoreland aforesaid, to enable him to pay the allowances above mentioned; he to be accountable for the same.

Congress proceeded to consider the amendment of the articles of confederation moved in behalf of Maryland:

On the question to agree, the yeas and nays being required by Mr. Marchant,

New Hampshire,	Mr. Bartlett,	*no* 1 *no*	
Massachusetts-Bay,	Mr. Hancock,	*no*	
	Mr. S. Adams,	*no*	
	Mr. Gerry,	*no*	
	Mr. Dana,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Island,	Mr. Ellery,	*ay*	
	Mr. Marchant,	*ay*	*ay*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Sherman,	*no*	
	Mr. Huntington,	*no*	
	Mr. Wolcott,	*no*	*no*
	Mr. Hosmer,	*no*	
New-York,	Mr. Lewis,	*ay*	*divided*
	Mr. G. Morris,	*no*	
New-Jersey,	Mr. Witherspoon,	*ay*	
	Mr. Elmer,	*ay*	*ay*
	Mr. Scudder,	*ay*	

Pennsylvania,

Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. James Smith,	*ay*	
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Plater,	*ay*	*ay*
	Mr. Carroll,	*ay*	
Virginia,	Mr. R. H. Lee,	*no*	*no*
	Mr. Baniſter,	*no*	
	Mr. T. Adams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*no*	
	Mr. Hutſon,	*no*	
	Mr. Heyward,	*no*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

The delegates from New-Hampſhire being called on, informed Congreſs,

That the ſtate of New-Hampſhire have, in their general aſſembly, agreed to the articles of confederation as they now ſtand, and have impowered their delegates to ratify the ſame in behalf of their ſtate.

The delegates of Maſſachuſetts-Bay being called on, read ſundry objections tranſmitted to them by their conſtituents to the articles of confederation, and thereupon moved in behalf of their ſtate,

1ſt, That the eighth article be re-conſidered, ſo far as relates to the criterion fixed on for ſettling the proportion of taxes to be paid by each ſtate, that an amendment may be made, ſo that the rule of apportionment may be varied from time to time by Congreſs until experience ſhall have ſhewed what rule of apportionment will be moſt equal and conſequently moſt juſt:

Queſtion put, paſſed in the negative, 2 ayes, 8 noes.

2d, That the fifth ſection of the 9th article be re-conſidered ſo far as relates to the rule of apportioning the number of forces to be raiſed by each ſtate on the requiſition of Congreſs:

Queſtion put,

Paſſed in the negative, 3 ayes, 7 noes.

3d, That the 6th ſection of the 9th article be re-conſidered, ſo far as it makes the aſſent of nine ſtates neceſſary to exerciſe the powers with which Congreſs are thereby inveſted:

Queſtion put,

Paſſed in the negative.

The

The delegates from Rhode-Iſland, being called on, produced inſtructions from their conſtituents, and thereupon moved the following amendments:

1ſt, In the 5th article, after the word "two" inſert "members, unleſs by ſickneſs, death or any other unavoidable accident, but one of the members of a ſtate can attend Congreſs, in which caſe ſuch ſtate may be repreſented in Congreſs by one member for the ſpace of months:"

Queſtion put,

Paſſed in the negative, 1 ay, 9 noes.

2d, In the 8th article, after the word "appoint" add "ſuch eſtimate to be taken and made once in every five years:"

Queſtion put,

Paſſed in the negative, 4 ayes, 6 noes.

3d, In the 9th article, at the end of the ſecond paragraph, after the words "for the benefit of the United States," add "provided nevertheleſs that all lands within theſe ſtates, the property of which before the preſent war was veſted in the crown of Great-Britain, or out of which revenues from quit-rents ariſe, payable to the ſaid crown, ſhall be deemed, taken and conſidered as the property of theſe United States, and be diſpoſed of and appropriated by Congreſs for the benefit of the whole confederacy, reſerving however to the ſtates, within whoſe limits ſuch crown lands may be, the entire and compleat juriſdiction thereof."

Queſtion put,

Paſſed in the negative, 1 aye 9 noes.

The delegates from Connecticut being called on produced inſtructions, and thereupon moved the following amendments:

1ſt, In the 8th article, after the words "in proportion to," ſtrike out what follows to the end of the ſentence, and in lieu thereof inſert "the number of inhabitants in each ſtate:"

Queſtion put,

Paſſed in the negative, 3 ayes, 9 noes.

2d, In the 9th article, at the end of the 5th paragraph, add the words following. "provided that no land-army ſhall be kept up by the United States in time of peace, nor any officers or penſioners kept in pay by them, who are not in actual ſervice, except ſuch as are or may be rendered unable to ſupport themſelves by wounds received in battle in the ſervice of the ſaid ſtates, agreeably to the proviſions already made by a reſolution of Congreſs:"

Queſtion

Queſtion put,

Paſſed in the negative, 1 ay, 11 noes.

The delegates of New-York being called on produced, under the great ſeal of their ſtate, an exemplification of an act of the legiſlature thereof, ratifying the articles of confederation as paſſed by Congreſs, with a proviſo that the ſame ſhall not be binding on the ſtate until all the other ſtates in the union ratify the ſame.

The delegates from New-Jerſey being called on laid before Congreſs a repreſentation of the legiſlative council and general aſſembly of their ſtate, reſpecting the articles of confederation.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *June* 24, 1778.

A letter of January 24th from colonel William Lee, to major general Heath, was read, requeſting leave to reſign:

Reſolved, That his reſignation be accepted.

A letter of March 17th from major Swaſey was read, requeſting leave to reſign his commiſſion:

Reſolved, That his reſignation be accepted.

A letter from the board of war was read, informing that captain Smith having declined the appointment of ſecretary to the board of war, the buſineſs of the board ſuffers daily for want of proper aſſiſtance, and therefore calling the attention of Congreſs to the appointment of a ſecretary:

Reſolved, That to morrow be aſſigned for appointing a ſecretary to the board of war and ordnance.

Reſolved, That on Saturday next Congreſs be adjourned from this place to meet at Philadelphia, on Thurſday the 2d day of July next.

Reſolved, That a committee of three be appointed to take proper meaſures for a public celebration of the anniverſary of independence at Philadelphia, on the 4th day of July next, and that they be authoriſed and directed to invite the preſident and council and ſpeaker of the aſſembly of the commonwealth of Pennſylvania, and ſuch other gentlemen and ſtrangers of diſtinction, as they ſhall deem proper;

The members choſen Mr. Duer, Mr. Hancock and Mr. Matthews.

Reſolved, That Congreſs will in a body attend divine worſhip on Sunday the 5th day of July next, to return

thanks

thanks for the divine mercy in ſupporting the independence of theſe ſtates, and that the chaplains be notified to officiate and preach ſermons ſuited to the occaſion.

A letter of the 21ſt from the council of Pennſylvania was read, incloſing a paper of intelligence reſpecting Indian incurſions:

Ordered, That the ſame be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That fifty thouſand dollars be advanced to Mr. Joſeph Nourſe, paymaſter to the board of war and ordnance, to be applied by the ſaid board to the purpoſe of purchaſing linens, hoſe, ſhoes, &c. for the uſe of the army; the ſaid paymaſter to be accountable.

Adjourned to ten o'clock to-morrow.

THURSDAY, *June* 25, 1778.

A letter of the 22d from general Waſhington, in New-Jerſey, near Coryell's Ferry, was read.

A letter of the 11th from the council of war of the ſtate of Rhode-Iſland, &c. directed to the delegates of that ſtate, was laid before Congreſs and read:

Ordered, That it be referred to the committee of arrangement.

Congreſs reſumed the conſideration of a report of the 24th from the board of treaſury; whereupon

Ordered, That one hundred thouſand dollars of the three hundred thouſand, for which a warrant iſſued the 12th of February laſt, in favour of the delegates of Pennſylvania, to be by them tranſmitted to the preſident of that ſtate for the purchaſe of flour, &c. be applied to the purpoſe of paying for the cloathing mentioned in the letter of the 5th from the preſident of the council of Pennſylvania.

A report from the board of war was read; whereupon

Reſolved, That the independent corps raiſed by colonel Armand, in conſequence of general Waſhington's permiſſion, be taken into continental pay; the pay to commence from the time of the reſpective inliſtments of the non-commiſſioned officers and privates engaged in the ſame:

That general Waſhington be authoriſed to officer this corps with ſuch foreign and other officers of merit as at preſent hold commiſſions, and who are not already and cannot

cannot be annexed to other corps on the propoſed arrangement of the army:

That if any of the ſtates ſhall think proper to allow the non-commiſſioned officers and privates, who have or ſhall inliſt in colonel Armand's corps, the bounty allowed by them reſpectively, in addition to the continental bounty, the men ſo engaged ſhall be credited as part of the quota of the ſtate who ſhall allow the additional bounty:

That the ſum of five thouſand dollars be paid to the board of war, to be by them advanced to colonel Armand, towards paying the continental bounty and recruiting charges of the ſaid corps; for which ſum colonel Armand is to be accountable.

The committee to whom were referred the letters of governor Greene, major general Sullivan, &c. brought in a report; whereupon

Reſolved, That it be, and it is hereby moſt earneſtly recommended to the ſtate of Maſſachuſetts-Bay, over and above the quota aſſigned to them for the defence of Rhode-Iſland by the convention of Springfield, to compleat and ſend forward with all poſſible diſpatch the number of men aſſigned by the ſaid convention to the ſtate of Connecticut, in lieu of the additional number of militia ſent to Hudſon's river by Connecticut, in behalf of Maſſachuſetts-Bay.

Reſolved, That general Waſhington be and he is hereby directed to order the continental battalion raiſed by the ſtate of Rhode-Iſland and Providence Plantations, now in the main army, to the ſaid ſtate for the defence thereof, if in his opinion the ſame may be done without any injury to the general intereſt of theſe United States.

Reſolved, That the board of war be and they are hereby directed to furniſh major general Sullivan with two thouſand ſtand of arms, including the number already ordered by the ſaid board, to be put into the hands of the ſtate troops and militia under his command, from the arms lately imported into Portſmouth in the ſtate of New-Hampſhire, if any there be, or from ſome convenient magazine; and that they order major general Sullivan to take particular care that the arms be delivered up by the militia before they leave the ſervice.

Reſolved, That the navy board in the eaſtern department be, and they are hereby impowered to cauſe to be built, equipped and manned, three large gallies for the defence

defence of Providence, Warren and Taunton rivers, or procure three ſuitable veſſels for that purpoſe, if, upon adviſing with the council of war in the ſtate of Rhode-Iſland and Providence Plantations and general Sullivan, they ſhall judge the meaſure to be expedient.

Ordered, That the part of the report relative to advancing a ſum of money to the ſtate of Rhode-Iſland be referred to the board of treaſury.

Three o'clock, P. M.

The committee on the treaſury brought in a report; wherenpon

Ordered, That twenty thouſand dollars be advanced to Joſeph Nourſe, paymaſter to the board of war and ordnance, for the contingent expences of the ſaid board; for which ſum he is to be accountable:

That two thouſand dollars be advanced to the delegates of the ſtate of Connecticut, one thouſand on the application of Mr. S Huntington, and one thouſand on the application of Mr. O. Wolcott, two of the ſaid delegates; the ſtate to be accountable.

The commiſſioners of claims report,

That there is due to major James Armſtrong Wilſon, a balance in full for the pay of his own and captain Samuel Poſtlethwait's company, and of thirteen men belonging to different regiments in brigadier Wayne's diviſion doing duty with major Wilſon's company, from the 1ſt of April to the 5th of June inſtant, when the two companies were diſcharged, and for expences and charges in raiſing the ſaid companies, the ſum of one thouſand and five dollars and 50-90ths:

Ordered, That the ſaid account be paid.

Congreſs took into conſideration the repreſentation from New-Jerſey, on the articles of confederation, which was read, as follows:

" To the United States in Congreſs aſſembled. The repreſentation of the legiſlative council and general aſſembly of the ſtate of New-Jerſey ſheweth,

" That the articles of confederation and perpetual union, between the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut, New-York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, propoſed by the honourable the Congreſs,

greſs of the ſaid ſtates, ſeverally for their conſideration, have been by us fully and attentively conſidered; on which we beg leave to remark as follows.

1ſt, In the 5th article, where, among other things, the qualifications of the delegates from the ſeveral ſtates are deſcribed, there is no mention of any oath, teſt or declaration, to be taken or made by them previous to their admiſſion to ſeats in Congreſs. It is indeed to be preſumed the reſpective ſtates will be careful that the delegates they ſend to aſſiſt in managing the general intereſts of the union, take the oaths to the government from which they derive their authority; but as the United States, collectively conſidered, have intereſts as well as each particular ſtate, we are of opinion that ſome teſt or obligation, binding upon each delegate while he continues in the truſt, to conſult and purſue the former as well as the latter, and particularly to aſſent to no vote or proceeding which may violate the general confederation, is neceſſary. The laws and uſages of all civiliſed nations evince the propriety of an oath on ſuch occaſions, and the more ſolemn and important the depoſit, the more ſtrong and explicit ought the obligation to be.

2d, By the ſixth and ninth articles the regulation of trade ſeems to be committed to the ſeveral ſtates within their ſeparate juriſdictions, in ſuch a degree as may involve many difficulties and embarraſſments, and be attended with injuſtice to ſome ſtates in the union: we are of opinion that the ſole and excluſive power of regulating the trade of the United States with foreign nations ought to be clearly veſted in the Congreſs, and that the revenue ariſing from all duties and cuſtoms impoſed thereon ought to be appropriated to the building, equiping and manning a navy for the protection of the trade and defence of the coaſts, and to ſuch other public and general purpoſes as to the Congreſs ſhall ſeem proper, and for the common benefit of the ſtates. This principle appears to us to be juſt, and it may be added that a great ſecurity will by this means be derived to the union from the eſtabliſhment of a common and mutual intereſt.

3d. It is wiſely provided in the ſixth article that no body of forces ſhall be kept up by any ſtate in time of peace, except ſuch number only as in the judgment of the United States in Congreſs aſſembled ſhall be deemed requiſite to garriſon the forts neceſſary for the defence of ſuch

ſtates: we think it ought alſo to be provided and clearly expreſſed, that no body of troops be kept up by the United States in time of peace, except ſuch number only as ſhall be allowed by the aſſent of nine ſtates. A ſtanding army, a military eſtabliſhment, and every appendage thereof, in time of peace, is totally abhorrent from the ideas and principles of this ſtate. In the memorable act of Congreſs, declaring the United Colonies free and independent ſtates, it is emphatically mentioned, as one of the cauſes of ſeparation from Great-Britain, that the ſovereign thereof had kept up among us, in time of peace, ſtanding armies without the conſent of the legiſlatures. It is to be wiſhed the liberties and happineſs of the people may by the confederation be carefully and explicitly guarded in this reſpect.

4th, On the eighth article we obſerve, that as frequent ſettlements of the quotas for ſupplies and aids to be furniſhed by the ſeveral ſtates, in ſupport of the general treaſury, will be requiſite, ſo they ought to be ſecured. It cannot be thought improper or unneceſſary to have them ſtruck once at leaſt in every five years, and oftner if circumſtances will allow. The quantity or value of real property in ſome ſtates may encreaſe much more rapidly than in others, and therefore the quota, which is at one time juſt, will at another be diſproportionate.

5th, The boundaries and limits of each ſtate ought to be fully and finally fixed and made known: this we apprehend would be attended with very ſalutary effects by preventing jealouſies as well as controverſies, and promoting harmony and confidence among the ſtates. If the circumſtances of the times would not admit of this, previous to the propoſal of the confederation to the ſeveral ſtates, the eſtabliſhment of the principles upon which, and the rule and mode by which the determination might be conducted, at a time more convenient and favourable for diſpatching the ſame at an early period, not exceeding five years from the final ratification of the confederation, would be ſatisfactory.

6th, The ninth article provides, that no ſtate ſhall be deprived of territory for the benefit of the United States: whether we are to underſtand, that by territory is intended any land, the property of which was heretofore veſted in the crown of Great-Britain; or that no mention of ſuch land is made in the confederation, we are conſtrain-

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ed to obſerve, that the preſent war, as we always apprehended, was undertaken for the general defence and intereſt of the confederating colonies, now the United States. It was ever the confident expectation of this ſtate, that the benefits derived from a ſucceſsful conteſt, were to be general and proportionate; and that the property of the common enemy, falling in conſequence of a proſperous iſſue of the war, would belong to the United States, and be appropriated to their uſe. We are therefore greatly diſappointed in finding no proviſion made in the confederation for impowering the Congreſs to diſpoſe of ſuch property, but eſpecially the vacant and impatented lands, commonly called the crown lands, for defraying the expences of the war, and for ſuch other public and general purpoſes. The juriſdiction ought in every inſtance to belong to the reſpective ſtates within the charter or determined limits of which ſuch lands may be ſeated; but reaſon and juſtice muſt decide, that the property which exiſted in the crown of Great-Britain, previous to the preſent revolution, ought now to belong to the Congreſs, in truſt for the uſe and benefit of the United States. They have fought and bled for it, in proportion to their reſpective abilities, and therefore the reward ought not to be predilectionally diſtributed. Shall ſuch ſtates as are ſhut out by ſituation from availing themſelves of the leaſt advantage from this quarter, be left to ſink under an enormous debt, whilſt others are enabled, in a ſhort period, to replace all their expenditures from the hard earnings of the whole confederacy?

7th, The ninth article alſo provides that the requiſition for the land forces to be furniſhed by the ſeveral ſtates ſhall be proportioned to the number of *white* inhabitants in each. In the act of independence we find the following declaration. "We hold theſe truths to be ſelf evi-
"dent, that all men are created equal; that they are en-
"dued by their Creator with certain unalienable rights,
"among which are life, liberty and the purſuit of hap-
"pineſs:" of this doctrine it is not a very remote conſequence, that all the inhabitants of every ſociety, be the colour of their complexion what it may, are bound to promote the intereſt thereof, according to their reſpective abilities. They ought therefore to be brought into the account on this occaſion. But admitting neceſſity or expediency to juſtify the refuſal of liberty in certain circum-

ſtance

ſtances to perſons of a particular colour, we think it unequal to reckon upon ſuch in this caſe. ſhould it be improper, for ſpecial local reaſons, to admit them in arms for the defence of the nation, yet we conceive the proportion of forces to be embodied ought to be fixed according to the whole number of inhabitants in the ſtate, from whatever claſs they may be raiſed. If the whole number of inhabitants in a ſtate, whoſe inhabitants are all whites, both thoſe who are called into the field and thoſe who remain to till the ground and labour in mechanical arts and otherwiſe, are reckoned in the eſtimate for ſtriking the proportion of forces to be furniſhed by that ſtate, ought even a part of the latter deſcription to be left out in another? As it is of indiſpenſible neceſſity in every war, that a part of the inhabitants be employed for the uſes of huſbandry and otherwiſe at home, while others are called into the field, there muſt be the ſame propriety that owners of a different colour, who are employed for this purpoſe in one ſtate, while *whites* are employed for the ſame purpoſe in another, be reckoned in the account of the inhabitants in the preſent inſtance.

8th, In order that the quota of troops to be furniſhed in each ſtate, on occaſion of a war, may be equitably aſcertained, we are of opinion, that the inhabitants of the ſeveral ſtates ought to be numbered as frequently as the nature of the caſe will admit, and once at leaſt every five years. The diſproportioned encreaſe in the population of different ſtates may render ſuch proviſion abſolutely neceſſary.

9th, It is provided in the ninth article, that the aſſent of nine ſtates out of the thirteen ſhall be neceſſary to determine in ſundry caſes of the higheſt concern. If this proportion be proper and juſt, it ought to be kept up ſhould the ſtates encreaſe in number, and a declaration thereof be made for the ſatisfaction of the union.

That we think it our indiſpenſible duty to ſolicit the attention of Congreſs to theſe conſiderations and remarks, and to requeſt that the purport and meaning of them be adopted as part of the general confederation; by which means we apprehend the mutual intereſts of all the ſtates will be better ſecured and promoted, and that the legiſlature of this ſtate will then be juſtified in ratifying the ſame."

Whereupon

Whereupon it was moved that the ſeveral articles in the confederation, referred to in the foregoing repreſentation, be ſo far re-conſidered as to admit the purport and meaning of the additions, alterations and amendments propoſed in the ſaid repreſentation:

Queſtion put,

Paſſed in the negative, 3 ayes, 6 noes, 1 divided.

The delegates of Pennſylvania being called on, moved the following amendments, in behalf of their ſtate:

1ſt, In the firſt paragraph of the fifth article, dele the words "for the remainder of the year:"

Queſtion put,

Paſſed in the negative, 2 ayes, 8 noes, 1 divided.

2d, That ſuch part of the 9th article as reſpects the poſt-office, be altered or amended, ſo as that Congreſs be obliged to lay the accounts annually before the legiſlatures of the ſeveral ſtates:

Queſtion put,

Paſſed in the negative, 2 ayes, 9 noes.

3d. In the 5th paragraph of the 9th article, expunge the word "*white*:"

Queſtion put,

Paſſed in the negative 3 ayes, 7 noes, 1 divided.

4th. In the laſt ſection of the 9th article, after the word "delegates" add "reſpectively:"

Queſtion put,

Paſſed in the negative, 1 ay, 10 noes.

The delegates from Virginia being called on informed Congreſs that they are impowered to ratify, in behalf of their ſtate, the articles of confederation, as they now ſtand.

The delegates from South-Carolina being called on, moved the following amendments, in behalf of their ſtate:

1ſt, In article 4, between the words "free inhabitants" inſert "white:"

Paſſed in the negative, 2 ayes, 8 noes, 1 divided.

2d, In the next line, after the words "theſe ſtates," inſert "thoſe who refuſe to take up arms in defence of the confederacy:"

Paſſed in the negative, 3 ayes, 8 noes.

3d, After the words "the ſeveral ſtates," inſert "according to the law of ſuch ſtates reſpectively for the government of their own free white inhabitants:"

Paſſed

Paſſed in the negative, 2 ayes, 8 noes, 1 divided.

4th, After the words "of which the owner is an inhabitant," inſert "except in caſes of embargo:"

Paſſed in the negative, 2 ayes, 9 noes.

5th, In the firſt paragraph of the 5th article, ſtrike out "firſt Monday in November," and inſert "nineteenth day of April:"

Paſſed in the negative, 1 ay, 9 noes, 1 divided.

6th, In the ſecond paragraph of the 5th article, ſubſtitute "three," in the place of "two," and "two" in the place of "three," and "four" in the place of "ſix:"

Paſſed in the negative, 2 ayes, 9 noes.

7th, In the third paragraph, for "committee" read "grand council:"

Paſſed in the negative, 1 ay, 9 noes, 1 divided.

8th, In the firſt paragraph of the 6th article, for "prince or ſtate," read "prince or foreign ſtate, except the ſame be upon the ſubject of commerce, nor then ſo as to interfere with any treaty or alliance of the United States made or treaty propoſed by Congreſs:"

Paſſed in the negative, 2 ayes, 9 noes.

9th, In the ſecond paragraph of the 6th article, ſtrike out "by ſome nation of Indians," and after the words "to invade ſuch ſtate," inſert "or upon requiſition to aſſiſt a ſiſter ſtate actually invaded or threatened with an invaſion:"

Paſſed in the negative, 3 ayes, 8 noes.

10th, In the firſt paragraph of the 7th article, ſtrike out "of or under the rank of colonel," and after "ſhall be appointed" inſert "and commiſſioned:"

Paſſed in the negative, 2 ayes, 8 noes, 1 divided.

11th, At the end of the 7th article add,

"The troops to be raiſed ſhall be deemed the troops of that ſtate by which they are raiſed. The Congreſs or grand council of the ſtates may, when they think proper, make requiſition to any ſtate for two thirds of the troops to be raiſed; which requiſition ſhall be binding upon the ſaid ſtates reſpectively; but the remaining third ſhall not be liable to be drawn out of the ſtate in which they are raiſed, without the conſent of the executive authority of the ſame. When any forces are raiſed, they ſhall be under the command of the executive authority of the ſtate in which they are ſo raiſed, unleſs they be joined by troops from any other ſtate, in which the Congreſs or

or grand council of the ſtates may appoint a general officer to take the command of the whole: and until the ſame can be done, the command ſhall be in the ſenior officer preſent, who ſhall be amenable for his conduct to the executive authority of the ſtate in which the troops are, and ſhall be liable to be ſuſpended thereby. The expences of the troops ſo to be raiſed ſhall be defrayed by the ſtate to which they belong; but when called into ſervice by the United States, they ſhall be fed and paid at the expence of the United States:"

Paſſed in the negative, 2 ayes, 9 noes.

12th, In the firſt line of the 8th article ſtrike out "charges of war and all other:"

Paſſed in the negative, 2 ayes, 8 noes, 1 divided.

13th, In the ſame article ſtrike out "according to ſuch mode as the United States in Congreſs aſſembled ſhall from time to time direct and appoint;" and inſtead of "and improvements thereon ſhall be eſtimated," read "and improvements thereon ſhall by periods of years not exceeding ten, as often as may be required by Congreſs be generally eſtimated by perſons to be appointed by the legiſlatures of the reſpective ſtates to value the ſame upon oath:"

Paſſed in the negative, 2 ayes, 9 noes.

14th, In the firſt paragraph of article the 9th ſtrike out "appointing courts for the trial of piracies and felonies committed on the high ſeas," and in lieu thereof inſert "declaring what acts committed on the high ſeas ſhall be deemed piracies or felonies:"

Paſſed in the negative, 2 ayes, 9 noes.

15th, In the ſecond paragraph of the 9th article, for "be the laſt reſort on appeal," read "decide and determine," and ſtrike out "all that relates to the mode of ſettling differences between ſtates and controverſies concerning private right of ſoil:"

Paſſed in the negative, 2 ayes, 9 noes.

16th, In the fifth paragraph of the 9th article, after the words "in any term of," ſtrike out "three" and inſert "two:"

Paſſed in the negative, 3 ayes, 7 noes, 1 divided.

17th, In the ſixth paragraph of the 9th article, for "unleſs nine ſtates" read "unleſs eleven ſtates:"

Paſſed in the negative, 2 ayes, 9 noes.

18th, At the end of the ſame paragraph ſtrike out the words "in Congreſs aſſembled:"

Paſſed

Paſſed in the negative, 1 ay, 10 noes.

19th, In the laſt paragraph of the 9th article, after the words "and the yeas and nays of the delegates of each "ſtate on" for "any" read "every," and ſtrike out the words "when it is deſired by any delegate:"

Paſſed in the negative, 2 ayes, 9 noes.

20th, In the ſame ſentence ſtrike out "a ſtate or" and alſo "at his or their requeſt," and after the words "and "the" inſert "reſpective ſtates or the," and after "ſhall" inſert "upon requiſition:"

Paſſed in the negative, 1 ay, 10 noes.

21ſt, Amend the laſt clauſe of the 13th article, ſo as to read "unleſs ſuch alteration be agreed to by eleven of "the United States in Congreſs aſſembled, and be after-"wards confirmed by the legiſlatures of eleven of the "United States:"

Paſſed in the negative, 3 ayes, 6 noes, 2 divided.

The delegate from Georgia being called on, informed Congreſs that he has not yet received any inſtructions or orders from his conſtituents reſpecting the articles of confederation; but that his ſtate having ſhewn ſo much readineſs to ratify them even in an imperfect ſtate, and it being ſo much for their intereſt that the confederation ſhould be ratified, he had no doubt of their agreeing to the artieles as they now ſtand.

Delaware and North-Carolina not having delegates preſent in Congreſs, no report was received from them, ſaving what is contained in governor Caſwell's letter, informing that the legiſlature of North-Carolina have agreed to the articles of confederation.

Ordered, That a committee of three be appointed to prepare the form of a ratification of the articles of confederation;

The members choſen Mr. R. H. Lee, Mr. G. Morris and Mr. Dana.

Adjourned to ten o'clock to-morrow.

FRIDAY, *June* 26, 1778.

A letter of the 24th from major general Arnold, in Philadelphia, with a proclamation incloſed, was read; alſo two letters of the 8th from governor Henry of Virginia; one of the 25th from colonel G. Morgan, and one of the 25th from the board of war, with ſundry papers incloſed, reſpecting Cornelius Sweers, whom they have arreſted in conſequence of the orders of Congreſs. The

The committee appointed to prepare the form of a ratification of the articles of confederation brought in a draught, which was agreed to as follows:

TO ALL to whom theſe preſents ſhall come; We the delegates of the ſtates affixed to our names ſend greeting.

Whereas the delegates of the United States of America in Congreſs aſſembled did, on the fifteenth day of November, in the year of our Lord one thouſand ſeven hundred and ſeventy-ſeven, and in the ſecond year of the independence of America, agree to certain articles of confederation and perpetual union between the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut, New York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, in the words following, viz.

(Here inſert the articles printed.)

Which articles were by Congreſs propoſed to the legiſlatures of all the United States, to be conſidered, and if approved of by them, they were adviſed to authoriſe their delegates to ratify the ſame in the Congreſs of the United States. And whereas it hath pleaſed the Great Governor of the World to incline the hearts of the legiſlatures we reſpectively repreſent in Congreſs to approve of and to authoriſe us to ratify the ſaid articles of confederation and perpetual union; KNOW YE, that we the underſigned delegates, by virtue of the power and authority to us given for that purpoſe, do by theſe preſents, in the name and in behalf of our reſpective conſtituents, fully and entirely ratify and confirm each and every of the ſaid articles of confederation and perpetual union, and all and ſingular the matters and things therein contained; and we do further ſolemnly plight and engage the faith of our reſpective conſtituents that they ſhall abide by the determinations of the United States in Congreſs aſſembled on all queſtions which by the ſaid confederation are ſubmitted to them; and that the articles thereof ſhall be inviolably obſerved by the ſtates we reſpectively repreſent; and that the union ſhall be perpetual.

In witneſs whereof we have hereunto ſet our hands, this day of in the year of our Lord one

thouſand ſeven hundred and ſeventy-eight, and in the year of the independence of the United States of America.

Ordered, That a copy of the articles of confederation, with the above ratifications be engroſſed on parchment, in order that the ſame may be ſigned before Congreſs adjourn from this place.

A petition from Henry Klein was read:

Ordered, That it be referred to the board of treaſury.

Four o'clock, P. M.

The commiſſioners of claims, with the approbation of the auditor general, report,

That there is due to John Brown, for his ſervices as clerk of the committee of commerce, from July 21ſt, 1777, to June 21ſt, 1778, eight hundred and twenty-five dollars:

To Jacob Funk, for two boxes with locks, and a large cheſt for the ſecretary's office, thirty two dollars:

To John Thaxter, for his ſervices as clerk in the ſecretary's office, from the 6th of May to the 15th of June, incluſive, one hundred dollars, and for contingent expences for the uſe of the office, four dollars and 78-90ths:

To Martin Breniciſe, for attending Congreſs from the 1ſt to the 27th of June, incluſive, thirty-ſix dollars, and for ringing the bell, the ſame time, nine dollars and 12-90ths:

To John Fiſher, for renewing two copperplates for loan-office certificates, and making two letters in the device of the thirty dollar bills, twenty dollars:

Ordered, That the ſaid accounts be paid.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. James Smith, a delegate of the ſtate of Pennſylvania, for one thouſand dollars, advanced upon his application; for which the ſaid ſtate is to be accountable:

That a warrant iſſue in favour of the ſtate of Rhode-Iſland and Providence Plantations, for one hundred thouſand dollars, on Joſeph Clark, commiſſioner of the continental loan-office in the ſaid ſtate; one other warrant for fifty thouſand dollars, on the treaſurer of the ſaid ſtate; and one other warrant for one hundred thouſand dollars,

dollars, on the treaſurer of Connecticut; the laſt mentioned ſums being part of a continental tax aſſeſſed in purſuance of a reſolution of Congreſs of the 22d day of November laſt, on the ſaid ſtates reſpectively; the whole amounting to two hundred and fifty thouſand dollars; for which the ſtate of Rhode-Iſland is to be accountable:

That a warrant iſſue in favour of John Gibſon, eſquire, auditor general, for one million of dollars, on the treaſurer, who is to tranſmit the ſame to J. Gibſon at Philadelphia, to anſwer the draughts of Congreſs; he to be accountable:

That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for three hundred thouſand dollars, to be by him tranſmitted to Benjamin Stelle, deputy paymaſter in the ſtate of Rhode-Iſland and Providence Plantations; and that Ebenezer Hancock, eſquire, deputy paymaſter general in the eaſtern department, who is to be accountable, be furniſhed with a copy of this order:

That a warrant iſſue on the treaſurer in favour of the honourable Henry Laurens, preſident of Congreſs, for three thouſand dollars, for the purpoſe of paying expreſſes; he to be accountable:

That a warrant iſſue on the treaſurer in favour of Mr. R. Sherman, a delegate of the ſtate of Connecticut, for one thouſand dollars, it being advanced upon his application; for which the ſaid ſtate is to be accountable.

The committee to whom were referred the proceedings of the houſe of aſſembly of the ſtate of Georgia, relative to an application for one million of dollars on loan, report,

That the continental demands upon the treaſury are ſo great and preſſing that ſo large a loan as is requeſted by the ſtate of Georgia cannot be granted; but as of the loan of one million of dollars, granted to Georgia in Auguſt laſt, the ſum of one hundred and ninety-eight thouſand four hundred dollars remains unifſued by the treaſury, it is recommended that the ſum of one hundred and ninety-eight thouſand four hundred dollars be forthwith iſſued and tranſmitted to Georgia, to compleat the loan of one million already granted:

Reſolved, That Congreſs agree to the ſaid report.

Ordered, That the letter of the 25th from the board of war be referred to a committee of three;

The

The members chosen Mr. J. Smith, Mr. Dana and Mr. G. Morris.

Adjourned to ten o'clock to-morrow.

SATURDAY, *June* 27, 1778.

A memorial from colonel M. Swoope, was read:

Ordered, That it be referred to the board of treasury.

A report from the board of war was read:

Ordered, That it be referred to the committee of arrangement.

The committee to whom was referred the letter of the 25th from the board of war, relative to Cornelius Sweers, brought in a report; whereupon

Ordered, That Cornelius Sweers be sent to Philadelphia under guard, and that the commanding officer in Philadelphia be directed to order the said Cornelius Sweers to be there kept under guard until he shall be duly discharged.

The committee to whom was referred the letter from Mr. Holker brought in a report:

The question put to agree to the said report,

Passed in the negative.

The engrossed copy of the articles of confederation, with the ratification agreed to, was laid before Congress, and the same, upon examination, being found incorrect,

Ordered, That another copy be made and laid before Congress on or before the 4th of July next, and that the delegates of the respective states lodge with the secretary their powers for ratifying the same.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of Henry Klein, for five hundred dollars, advanced him; for which he is to be accountable.

Adjourned to Thursday next, to meet at the State-House in Philadelphia.

POWERS of the States to their Delegates to ratify the Articles of Confederation——

"State of NEW-HAMPSHIRE.
In the House of Representatives, March 4, 1778.

The house took into consideration the thirteen articles of confederation and perpetual union between the thirteen United States of America, as agreed to by the honourable Congress of said states, and came to the following resolution thereon, viz.

Resolved, That we do agree to said articles of confederation, perpetual union, &c. and do, for ourselves and constituents, engage that the same shall be inviolably observed by this state: and the delegates of this state for the time being at the Congress aforesaid are hereby impowered and instructed to ratify the same in behalf of this state.

Sent up for concurrence,
JOHN DUDLEY, speaker, pro tem.

In Council, the same day, read and concurred,
E. THOMPSON, secretary.

Copy. Attest.
MESHECH WEARE, president."

"MASSACHUSETTS-BAY.

Council Chamber, Boston, March 10, 1778.

Gentlemen,

THE general court of the state of Massachusetts-Bay, having attentively considered the articles of confederation and perpetual union between the United States of America, recommended to our attention by the honorable Congress, do approve of them in general as well calculated to secure the freedom, sovereignty and independence of the United States. Perhaps no plan could have been proposed better adapted to the circumstances of all. We therefore, the council and house of representatives of this state,

ſtate, in general court aſſembled, do, in the name and behalf of the good people of this ſtate, inſtruct you their delegates to ſubſcribe ſaid articles of confederation and perpetual union as they were recommended by Congreſs, unleſs the following alterations, or ſuch as may be propoſed by the other ſtates, can be received and adopted without endangering the union propoſed.

In the name and behalf of the general aſſembly,

JEREMIAH POWELL, preſident.

To the delegates of the ſtate of Maſſachuſetts-Bay in Congreſs."

"RHODE-ISLAND and PROVIDENCE PLANTATIONS.

BY his Excellency Nicholas Cooke, Eſquire, Governor, Captain General, and Commander in Chief of and over the ſtate of Rhode-Iſland and Providence Plantations.

Be it known that Henry Ward, eſquire, who hath under his hand certified that the annexed copy, purporting an act of the general aſſembly of the ſtate aforeſaid, impowering the delegates of the ſaid ſtate in Congreſs to accede to and ſign the articles of confederation and perpetual union between the thirteen United States, is a true copy, is ſecretary of the ſaid ſtate, duly elected and engaged according to law. Wherefore unto his certificate of that matter full faith and abſolute credit is and ought to be univerſally rendered.

GIVEN under my hand and the ſeal of the ſaid ſtate, at Providence, this eighteenth day of February, in the year of our Lord one thouſand ſeven hundred and ſeventy-eight.

(L. S.) NICHOLAS COOKE.

By his excellency's command,

HENRY WARD, ſecretary.

AT the general aſſembly of the governor and company of the ſtate of Rhode-Iſland and Providence Plantations, begun and holden by adjournment at Eaſt Greenwich, within and for the ſtate aforeſaid, on the ſecond Monday in February, in the year of our Lord one thouſand ſeven hundred and ſeventy-eight. This aſſembly having taken into conſideration the articles of confederation and perpetual union between the ſtates of New-Hampſhire, Maſſachuſetts-Bay,

fachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut, New-York, New Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, tranſmitted by Congreſs to this ſtate, and having had them repeatedly read, and having maturely weighed and moſt ſeriouſly deliberated upon them as their importance to this and the other ſtates and to poſterity deſerves; and conſidering alſo the preſſing neceſſity of compleating the union as a meaſure eſſential to the preſervation of the independence and ſafety of the ſaid ſtates, do vote and reſolve, and it is voted and reſolved, that the honourable Stephen Hopkins, eſquire, William Ellery, eſquire, and Henry Marchant, eſquire, the delegates to repreſent this ſtate in Congreſs, or any one of them, be and they are hereby fully authoriſed and impowered, on the part and behalf of this ſtate, to accede to and ſign the ſaid articles of confederation and perpetual union in ſuch ſolemn form and manner as Congreſs ſhall think beſt adapted to a tranſaction ſo important to the preſent and future generations; provided that the ſame be acceded to by eight of the other ſtates: and in caſe any alterations in or additions to the ſaid articles of confederation and perpetual union ſhall be made by nine of the ſaid ſtates in Congreſs aſſembled, that the ſaid delegates or any one of them be and they are hereby authoriſed and impowered, in like manner, to accede to and ſign the ſaid articles of confederation and perpetual union, with the alterations and additions that ſhall be ſo made. It is further voted and reſolved, that this aſſembly will and do hereby, in behalf of the ſaid ſtate of Rhode-Iſland and Providence Plantations, in the moſt ſolemn manner, pledge the faith of the ſaid ſtate to hold and conſider the acts of the ſaid delegates or any one of them, in ſo acceding to and ſigning the ſaid articles of confederation and perpetual union, as valid and binding upon the ſaid ſtate in all future time. And it is further voted and reſolved, that a fair copy of this act be made and authenticated under the public ſeal of this ſtate, with the ſignature of his excellency the governor, and be tranſmitted to the delegates; and that the ſame ſhall be ſufficient warrant and authority to the ſaid delegates or any one of them for the purpoſes aforeſaid.

A true copy duly examined.

Witneſs, HENRY WARD, ſecretary."

CONNECTICUT.

"CONNECTICUT.

AT a General Aſſembly of the Governor and Company of the ſtate of Connecticut, holden at Hartford, by adjournment, on the 12th day of February, 1778.

The articles of confederation and perpetual union, propoſed by Congreſs to be entered into by the thirteen United States of America, being laid before this aſſembly by his excellency the governor, were read and maturely conſidered; whereupon

Reſolved, That the delegates of this ſtate, who ſhall be preſent in Congreſs, be and they are hereby fully authoriſed and impowered, in behalf of this ſtate, to agree to and ratify the ſaid articles of confederation, with ſuch amendments, if any be, as by them, in conjunction with the delegates of the other ſtates in Congreſs, ſhall be thought proper. A true copy of record,

Examined by GEORGE WYLLYS, ſecretary."

"NEW-YORK.

THE People of the ſtate of New-York, one of the United States of America, by the grace of God free and independent, to their brethren of the other of the ſaid United States in Congreſs aſſembled, and to all others who ſhall ſee theſe our letters patent, ſend greeting.

KNOW YE, That among the acts of our ſenate and aſſembly of our ſaid ſtate we have inſpected a certain act of the ſaid ſenate and aſſembly, the tenor whereof is as follows, to wit:—"An act of acceſſion to and approbation of certain propoſed articles of confederation and perpetual union between the United States of America, and to authoriſe the delegates of the ſtate of New-York to ratify the ſame on the part and behalf of this ſtate in the Congreſs of the ſaid United States. Whereas the freedom, ſovereignty and independence of the ſaid ſtates, which, with a magnanimity, fortitude, conſtancy, and love of liberty, hitherto unparalleled, they have aſſerted and maintained againſt their cruel and unrelenting enemies, the king and parliament of the realm of Great-Britain, will, for their laſting and unſhaken ſecurity, in a great meaſure depend, under God, on a wiſe, well concerted, intimate and equal confederation of the ſaid United States: and whereas the honourable the Congreſs of the ſaid United

United States have tranſmitted, for the conſideration of the legiſlature of this ſtate, and for their ratification in caſe they ſhall approve of the ſame, the following articles of confederation, to wit;

(Here the articles are recited verbatim.)

And whereas the ſenate and aſſembly of this ſtate of New-York, in legiſlature convened, have ſeparately taken the ſaid ſeveral articles of confederation into their reſpective, moſt deliberate and mature conſideration, and by their ſeveral and reſpective reſolutions, deliberately made and entered into for the purpoſe, have fully and entirely approved of the ſame. In order, therefore, that ſuch approval may be publiſhed and made known to the whole world, with all the ſolemnities of law, and that all the ſubjects of this ſtate and others inhabiting and reſiding therein from time to time and at all times thereafter, as long as the ſaid confederation ſhall ſubſiſt and endure, may be bound by and held to the due obſervance of the ſaid articles of confederation, as a law of this ſtate, if the ſame ſhall be duly ratified by all the ſaid United States in Congreſs aſſembled, be it enacted and declared by the people of the ſtate of New-York, repreſented in ſenate and aſſembly, and is is hereby enacted by the authority of the ſame, that the ſaid ſeveral above recited articles of confederation, and all and ſingular the clauſes, matters and things in the ſame contained, be and the ſame are hereby fully accepted, received and approved of for and in behalf of the people of this ſtate. And to the end that the ſame may, with all due form and ſolemnity, be ratified and confirmed by this ſtate in Congreſs, be it further enacted by the authority aforeſaid, that the delegates of this ſtate in the ſaid Congreſs of the United States of America, or any two of the ſaid delegates, ſhall be and hereby are fully authoriſed, impowered and required wholly, entirely and abſolutely, for and in behalf of the people of this ſtate, and in ſuch manner and under ſuch formalities as ſhall be determined in Congreſs, to ratify and confirm all and every of the ſaid above recited articles of confederation, and all and ſingular the clauſes, matters and things in the ſame contained; and that an exemplification of this act, teſted by his excellency the governor or the lieutenant governor, or preſident of the ſenate of the ſtate for the time being, adminiſtering the government, and authenticated with the great ſeal of this ſtate, ſhall be full and concluſive evidence of this act.

Provided always, that nothing in this act or the ſaid above recited articles of confederation contained, nor any act, matter or thing to be done and tranſacted by the delegates of this ſtate in Congreſs, in and concerning the premiſes or any part thereof, ſhall bind or oblige or be deemed, conſtrued or eſteemed to bind or oblige the government, legiſlature, people, ſubjects, inhabitants or reſidents of this ſtate, until the ſaid above recited articles ſhall have been duly ratified and confirmed by or in behalf of all the ſaid United States in Congreſs aſſembled; any thing herein or in the ſaid above recited articles of confederation contained to the contrary thereof in any wiſe notwithſtanding."—At the bottom of which act we find the following certificates, to wit;—"In ſenate, Thurſday, January 29, 1778. This bill, having been read the third time, Reſolved that the bill do paſs. By order of the ſenate, Pierre Van Cortlandt, preſident. In aſſembly, Tueſday, February 3, 1778. This bill having been read three times, Reſolved, that the bill do paſs. By order of the aſſembly, Walter Livingſton, ſpeaker."—And on the back of ſaid bill we find the following indorſement in writing, to wit;—"In the council for reviſing all bills about to be paſſed into laws by the legiſlature of the ſtate of New-York, on Friday, 6th day of February, 1778. Reſolved, that it does not appear improper to this council that the bill entitled "an act of acceſſion to and approbation of certain propoſed articles of confederation and perpetual union between the United States of America, and to authoriſe the delegates of the ſtate of New-York to ratify the ſame on the part and behalf of this ſtate, in the Congreſs of the United States, ſhould become a law of this ſtate. George Clinton."—In teſtimony whereof we the ſaid people of the ſtate of New-York have cauſed the ſaid act of our ſaid ſenate and aſſembly to be exemplified by theſe preſents. and our great ſeal of our ſaid ſtate to be hereunto appended. Witneſs our truſty and well beloved George Clinton, eſquire, our governor of our ſaid ſtate, general and commander in chief of all the militia, and admiral of our navy of the ſame, the ſixteenth day of February, in the ſecond year of our independence and ſovereignty, and in the year of our Lord one thouſand ſeven hundred and ſeventy-eight.

GEORGE CLINTON.

By his excellency's command,
RICHARD HATFIELD, ſecretary."

PENN-

"PENNSYLVANIA.

THE repreſentatives of the freemen of the commonwealth of Pennſylvania, in general aſſembly met, to the honorable Benjamin Franklin, doctor of laws, Robert Morris, eſquire, Daniel Roberdeau, eſquire, Jonathan B. Smith, eſquire, James Smith, eſquire, of York-Town, William Clingan, eſquire, Joſeph Reed, eſquire, delegates for the ſaid commonwealth in the Congreſs of the United States of America, ſend greeting.

KNOW YE, that we the ſaid repreſentatives having taken into our moſt ſerious and weighty conſideration and deliberation the articles of confederation between the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut, New-York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, lately tranſmitted to us by the honorable Henry Laurens, eſquire, preſident of the ſaid Congreſs, do by this preſent inſtrument, ſigned by our ſpeaker, and ſealed with the ſeal of the laws of this commenwealth, accede to, ratify, confirm and agree to the ſaid articles; which ſaid articles are as follows, to wit.

(*Here the articles are recited verbatim.*)

And we the ſaid repreſentatives do hereby authoriſe, impower, require and enjoin you the ſaid Bejamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan B. Smith, James Smith, William Clingan and Joſeph Reed, or any two of you, in the name of the ſaid commonwealth of Pennſylvania, to accede to, ratify, confirm and agree to the ſaid articles of confederation. In teſtimony whereof we have cauſed the ſeal of the laws of Pennſylvania to be hereunto affixed, in generel aſſembly at Lancaſter, the fifth day of March, in the year of our Lord one thouſand ſeven hundred and ſeventy-eight.

JOHN BAYARD, ſpeaker."

Seal appended.

"VIRGINIA.

In General Aſſembly, December 15, 1778.

RESOLVED, nemine contradicente, that a ſpeedy ratification of the articles of confederation between the United States of America will confound the devices of

of their foreign, and fruſtrate the machinations of their domeſtic, enemies; encourage their firm friends, and fix the wavering; contribute much to the ſupport of their public credit and the reſtoration of the value of their paper money; produce unanimity in their councils at home and add weight to their negociations abroad; and compleating the independence of their country, eſtabliſh the beſt foundation of its proſperity.

Reſolved, nemine contradicente, that the articles of confederation and perpetual union, propoſed by Congreſs the 7th day of November laſt, between the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut, New-York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, and referred for approbation to the conſideration of the ſeveral legiſlatures of the ſaid ſtates, be approved and ratified on the part of this commonwealth, and that our delegates in Congreſs be accordingly authoriſed and inſtructed to ratify the ſame, in the name and on the behalf of this commonwealth, and that they attend for that purpoſe on or before the tenth day of March next.

ARCHIBALD CARY, ſpeaker of the ſenate.
G. WYTHE, ſpeaker of the houſe of delegates."

"NORTH-CAROLINA.

State of North-Carolina. In Senate, 25th of April, 1778.

To his Excellency Richard Caſwell, Eſquire, Captain General, Governor and Commander in Chief, &c. &c.

Sir,

THE two houſes of the general aſſembly have taken into conſideration the confederacy propoſed to the United States by the continental Congreſs, and have unanimouſly acceded thereto, and requeſt your excellency will be pleaſed to inform the preſident of the continental Congreſs thereof by the earlieſt opportunity.

WHITMILL HILL, S. S.
JOHN WILLIAMS, S. C.
By order,
J. SITGREAVES, C. S."

"SOUTH-

"SOUTH-CAROLINA.

In the General Aſſembly, the 4th day of February, 1778.

RESOLVED, nemine contradicente, that the delegates of this ſtate in the continental Congreſs, or any three of them, be and they are hereby authoriſed, on the part of this ſtate, to agree to and ratify articles of confederation between the United States of America.

Ordered, That the foregoing reſolution be ſent to the honourable the legiſlative council for their concurrence, and to his excellency the preſident for his aſſent.

By order of the houſe,

THOMAS BEE, ſpeaker.

In the Legiſlative Council, the 5th day of February, 1778.

Read the foregoing reſolution of the general aſſembly.

Reſolved, That this houſe do concur with the general aſſembly in the ſaid reſolution.

Ordered, That it be ſent to his excellency the preſident for his aſſent.

Aſſented to, February 5th, 1778,

J. RUTLEDGE.

By order of the houſe.

HUGH RUTLEDGE, ſpeaker."

"GEORGIA.

Houſe of Aſſembly, Thurſday February 26, 1778.

THE houſe reſolved itſelf into a committee of the whole houſe, to take into conſideration the articles of confederation and perpetual union, and after ſome time ſpent therein, Mr. ſpeaker reſumed the chair and Mr. Whitefield from the committee of the whole reported, they had taken the ſaid articles into conſideration and gone through the ſame, and made ſeveral amendments thereto, which were read and agreed to.

Extract from the minutes,

GEORGE CUTHBERT, clerk.

Report of the amendments to the articles of confederation and perpetual union:

4th Article, 4th page, 4th line, add the words "white inhabitants:" 6th line between the words "vagabonds and" add "all perſons who refuſe to bear arms in defence of the ſtate to which they belong, and all perſons who have been or ſhall be attainted and adjudged guilty of high treaſon in any of the United States." 9th

9th Article, 20th page, 20th line, between the words "emitted to" add "and the expenditure of the ſame:"

11th article, 25th page, between the words "Canada acceding" add "and the colonies of Eaſt and Weſt-Florida."

A true copy from the original, taken the 24th of May, and examined by

GEORGE CUTHBERT, C. H. A.

Houſe of Aſſembly, Thurſday February 26, 1778.

Reſolved, That the delegates for this ſtate be authoriſed and required to lay before the general Congreſs of the United States the ſeveral alterations propoſed and agreed upon by this houſe this day in the articles of confederation, and that they do uſe their exertions to have ſuch alterations agreed to and confirmed in Congreſs.

Reſolved, That in caſe all or none of ſuch alterations ſhall be agreed to and confirmed in Congreſs, that then and notwithſtanding they be impowered and required, in behalf of this ſtate, to ſign, ratify and confirm the ſeveral articles of the confederation recommended to the reſpective legiſlatures of the United States by Congreſs, or any other plan of a general confederation which ſhall be agreed upon by nine of the United States.

Extract from the minutes,

GEORGE CUTHBERT, clerk.

PHILADELPHIA.

According to adjournment the preſident and a number of the members met at the ſtate-houſe on Thurſday the 2d of July, and adjourned from day to day to

TUESDAY, *July* 7, 1778,

Ten ſtates attending.

Mr. E. Boudinot, a delegate from New-Jerſey, attended and took his ſeat.

A letter of the 21ſt, one of the 28th, and one of the 29th of June, and one of July 1ſt, from general Waſhington, were read.

A letter of June 19th from general Heath was read, incloſing ſundry letters that paſſed between him and major general Philips, conſequent to the death of lieutenant Richard Brown, of the troops of the convention of Saratoga,

toga, who was ſhot by a ſentinel "for not ſtopping when "repeatedly challenged, as he was riding out of the "lines with two women:" whereupon

Reſolved, That Congreſs approve of major general Heath's conduct reſpecting major general Philips, conſequent upon the death of lieutenant Richard Brown, of the troops of the convention.

Ordered, That an extract of major general Heath's letter, with the letters that paſſed between him and major general Philips, together with the inqueſt held on the body of lieutenant Richard Brown, be publiſhed.

Ordered, That ſo much of general Heath's letter as relates to money, with the account of proviſions iſſued to the troops of the convention of Saratoga, from November 6th, 1777, to March 7th, 1778, and thoſe received in lieu thereof, be referred to the board of treaſury.

Congreſs took into conſideration the letter of June 29th, and that of July 1ſt from general Waſhington, giving an account of his movements from Valley Forge to Monmouth Court-Houſe in the ſtate of New-Jerſey, in purſuit of the enemy, and of a victory obtained over the Britiſh army commanded by general ſir H. Clinton, in a battle near Monmouth Court Houſe, on the 28th of June: whereupon

Reſolved unanimouſly, That the thanks of Congreſs be given to general Waſhington for the activity with which he marched from the Camp at Valley Forge in purſuit of the enemy; for his diſtinguiſhed exertions in forming the the line of battle; and for his great good conduct in leading on the attack and gaining the important victory of Monmouth over the Britiſh grand army, under the command of general ſir H. Clinton, in their march from Philadelphia to New-York.

Reſolved, That general Waſhinton be directed to ſignify the thanks of Congreſs to the gallant officers and men under his command, who diſtinguiſhed themſelves by their conduct and valour at the battle of Monmouth.

Ordered, That Mr. Huntington, Mr. Wolcott and Mr. Scudder have leave of abſence.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *July* 8, 1778.

A letter of June 30th from major general Putnam was read:

Ordered,

Ordered, That it be referred to the board of war.

A letter of April 4th and one of the 26th of the ſame month, from major general R. Howe, at Savannah, and one of April 4th from governor Houſton, of Georgia, were read:

Ordered, That they be referred to the board of treaſury.

A letter of June 29th from governor Trumbull, incloſing a letter to him from Duncan Stewart, of London; alſo one of May 27th from Mr. preſident Weare, of New-Hampſhire; were read.

A letter of June 25th from governor Livingſton was read, incloſing a copy of Ephraim Marſh's affidavit:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Duer, Mr. R. H. Lee and Mr. Boudinot.

A letter of the 3d from governor Livingſton was read, repreſenting the diſtreſſed condition of the New-Jerſey brigade for want of cloathing:

Ordered, That it be referred to the board of war, and that the ſaid board be directed to take ſpeedy and effectual meaſures for ſupplying the New-Jerſey brigade with neceſſary cloathing.

A letter of June 16th from Mr. John Carter, continental agent in Virginia, was read:

Ordered, That it be referred to the committee of commerce.

A letter of the 23d and one of the 28th of June, and one of July 2d from general Gates, were read, incloſing a number of papers:

Ordered, That they be referred to the board of war.

The board of war tranſmitted to Congreſs a letter of June 27th from major general Schuyler, at Albany, with a copy of a letter from Mr. Deane, Indian interpreter, and a letter of July 3d from colonel Butler, of Weſtmoreland, which were read; whereupon

Reſolved, That the board of war be directed to ſend for and confer with the Seneca chiefs who have lately quitted the city of Philadelphia, to enquire in what character and with what views they have come among us, whether as repreſentatives or ambaſſadors of the Seneca nation; and whether the Seneca nation, as ſuch, have committed hoſtilities againſt us, and report ſpecially and immediately to Congreſs.

A letter

A letter of June 30th from major general Heath was read, incloſing a copy of a letter of May 18th from B. Franklin and John Adams, eſquires, commiſſioners of the United States at Paris:

Ordered, That the letter from B. Franklin and John Adams, eſquires, be publiſhed.

Ordered, That the cloathier general, or, in his abſence, his deputy in Philadelphia, be directed immediately to make out and lay before Congreſs an exact and particular invoice of all and every kind of goods, wares and merchandize which have been purchaſed or taken up by the cloathier general or any of his deputies within this city, together with a liſt of the names of the perſons of whom they have been purchaſed, and from whom taken, and the prices at which they were purchaſed.

Reſolved, That the governors of Maryland and Virginia be ſeverally requeſted to take proper meaſures for giving the earlieſt intelligence to any French fleet or ſhips of war that may appear off the Bay of Cheſſapeak, of a fleet of Britiſh ſhips of war being ready to ſail for North-America, as by the information tranſmitted from the American commiſſioners at Paris; and that they be reſpectively deſired to accommodate any ſuch French fleet or ſhips of war with good pilots for bringing them ſafely into the Bay, ſhould they incline to come there:

That a ſimilar requeſt and proper advice be tranſmitted to each of the governors of North-Carolina, South-Carolina and Georgia.

An application being made for an advance of two hundred thouſand dollars to the ſtate of New-Jerſey,

Ordered, That it be referred to the board of treaſury.

Adjourned to nine o'clock to-morrow.

THURSDAY, *July* 9, 1778.

Mr. Andrew Adams, a delegate from Connecticut, attended and took his ſeat in Congreſs.

A letter of the 7th from general Waſhington, at Brunſwick, was read; whereupon

Ordered, That the committee appointed to arrange the army repair without delay to general Waſhington's Head-Quarters, and proceed on the buſineſs committed to them.

A letter from major Romand de Liſle was read:

Ordered, That it be referred to the board of war.

A memorial from officers belonging to different regiments of the ſtate of Pennſylvania was read :

Ordered, That it be referred to the committee of arrangement.

A memorial from the lieutenants and maſters in the navy and captains of marines was read :

Ordered, That it be referred to the marine committee.

A memorial from the chevalier Faillie was read :

Ordered, That it be referred to the board of war.

Ordered, That Mr. Hancock and Mr. Ellery have leave of abſence.

Reſolved, That in the ratification of the articles of confederation, to be ſigned by the delegates, the following words be omitted, to wit ; " which articles were by Congreſs propoſed to the legiſlatures of all the United States, to be conſidered, and, if approved of by them, they are adviſed to authoriſe their delegates to ratify the ſame in the Congreſs of the United States."

The ratification of the articles of confederation, engroſſed on a roll of parchment, being laid before Congreſs, was examined, and the blanks in the third line from the bottom being filled up at the table with the words " ninth" and " July," and the blank in the laſt line with the word " third," the ſame was ſigned, on the part and in behalf of their reſpective ſtates, by the delegates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut, New-York, Pennſylvania, Virginia and South-Carolina, agreeably to the powers veſted in them.

The delegates of the ſtates of New-Jerſey, Delaware and Maryland, informed Congreſs that they have not yet received powers to ratify and ſign.

North-Carolina, whoſe legiſlature has ratified the articles of confederation, and the ſtate of Georgia, were not at this time repreſented in Congreſs.

Reſolved, That a committee of three be appointed to prepare a circular letter to the ſtates in this union, that have not hitherto authoriſed their delegates in Congreſs to ratify the confederation, informing ſuch ſtates how many and what ſtates have already ratified the ſame ; and deſiring that ſuch ſtates will, with all convenient diſpatch, authoriſe their delegates to ratify the confederation in the Congreſs of the United States ;

The members choſen Mr. Lee, Mr. Dana and Mr. G. Morris.

Several

Several members of Congreſs having intimated that they have received letters from ſome of the Britiſh commiſſioners;

Ordered, That all letters received by members of Congreſs from any of the Britiſh commiſſioners or their agents, or from any ſubject of the king of Great-Britain, of a public nature, be laid before Congreſs.

Mr. R. Morris laid before Congreſs a letter directed to him, dated Philadelphia, June 16, 1778, and ſigned George Johnſtone, which was read.

Ordered, That the committee of commerce conſult with the board of war, and jointly agree with the governor of Virginia for ſuch part of the Roderique's cargo, purchaed by the ſtate of Virginia, as they ſhall think wanting for continental uſe.

A letter of this day from general Arnold was read.

The board of war, to whom was referred aninvoice of ſundry merchandize, conſigned to Mr. Holker and lately arrived at York-Town, brought in a report; whereupon

Reſolved, That the committee of commerce be directed and authoriſed to contract with Mr. Holker for all the hats, blankets and ſhoes, ſpecified in the ſaid invoice, on ſuch terms as they ſhall deem expedient.

Reſolved, That Mr. Boudinot be added to the committee on the petition from the priſoners in New-York.

The preſident laid before Congreſs a bill drawn on him by John Baynton, deputy paymaſter general in favour of colonel John Piper, for two thouſand and ſeventy-four pounds fourteen ſhillings and four-pence Pennſylvania currency, being the amount of pay due to the militia of Bedford county, in the continental ſervice:

Ordered, That it be referred to the board of treaſury.

Adjourned to nine o'clock to-morrow.

FRIDAY, *July* 10, 1778.

Two letters of the 6th from the marquis de la Fayette were read:

Ordered, That they be referred to the board of war.

A letter of June 25th from major general Heath, incloſing a copy of a letter from him to major general Philips; alſo a letter of the 1ſt inſtant from major general Schuyler; were read.

The delegates from Pennſylvania laid before Congreſs the following letters, which were read, viz. one of the 2d from Samuel Hunter to John Hambright, eſquire; one of the 8th from Robert Levers to George Bryan, eſquire

eſquire, vice preſident of Pennſylvania; and one of the 7th from Jacob Stroud to Robert L. Hooper, eſquire:

Ordered, That they be referred to the board of war.

A petition from Auguſt Wille was read:

Ordered to lie on the table.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on John Gibſon, eſquire, auditor general, in favour of colonel John Piper, for five thouſand five hundred and thirty-two dollars and 52-90ths, to anſwer a draught in his favour from John Baynton, deputy paymaſter of the weſtern diſtrict, dated Fort Pitt, April 27, 1778, for two thouſand and ſeventy-four pounds fourteen and four-pence, Pennſylvania currency; the ſaid John Baynton to be accountable:

That, upon application of major general R. Howe, by his letter, dated Savannah, April 26, 1778, a warrant iſſue on John Gibſon, eſquire, for two thouſand and twenty-nine dollars, in favour of colonel Marbary, to reimburſe part of a ſum which he advanced for the payment and ſubſiſtance of the troops under the command of major general Howe, who is to be accountable:

That a warrant iſſue on John Gibſon, eſquire, for one hundred thouſand dollars, and another warrant on Joſeph Borden, eſquire, commiſſioner of the continental loan-office in the ſtate of New-Jerſey, for one hundred thouſand dollars, in favour of the delegates of that ſtate, it being agreeably to an application of the general aſſembly thereof, for the purpoſe of diſcharging the arrears due to their militia; the ſaid ſtate to be accountable.

The committee appointed to prepare a circular letter to the ſtates in this union, who have not hitherto authoriſed their delegates to ratify the confederation, brought in a draft, which being read and amended, was agreed to as follows:

SIR,

CONGRESS, intent upon the preſent and future ſecurity of theſe United States, has never ceaſed to conſider a confederacy as the great principle of union, which can alone eſtabliſh the liberty of America and exclude for ever the hopes of its enemies. Influenced by conſiderations ſo powerful, and duly weighing the difficulties,

which

which oppoſe the expectation of any plan being formed, that can exactly meet the wiſhes and obtain the approbation of ſo many ſtates, differing eſſentially in various points; Congreſs have, after mature deliberation, agreed to adopt without amendments the confederation tranſmitted to the ſeveral ſtates for their approbation. The ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut, New-York, Pennſylvania, Virginia, North-Carolina and South-Carolina have ratified the ſame, and it remains only for your ſtate with thoſe of ——— to conclude the glorious compact, which, by uniting the wealth, ſtrength and councils, of the whole, may bid defiance to external violence and internal diſſentions, whilſt it ſecures the public credit both at home and abroad. Congreſs is willing to hope that the patriotiſm and good ſenſe of your ſtate will be influenced by motives ſo important, and they requeſt, ſir, that you will be pleaſed to lay this letter before the legiſlature of ——— in order that, if they judge it proper, their delegates may be inſtructed to ratify the confederation with all convenient diſpatch; truſting to future deliberations to make ſuch alterations and amendments as experience may ſhew to be expedient and juſt.

I have the honour to be, &c.

Adjourned to nine o'clock to-morrow.

SATURDAY, *July* 11, 1778.

The preſident informed Congreſs that a private letter, which he has received from preſident Lowndes, of the ſtate of South-Carolina, contains information of a public nature; a motion was made

That the preſident be requeſted to communicate to Congreſs ſo much of the letter as relates to the public:

The previous queſtion was moved and put, that that queſtion be not now put;

Paſſed in the negative,

The main queſtion being put,

Paſſed in the affirmative:

Whereupon

An extract of a letter of June 17th from preſident Lowndes, of South-Carolina, was laid before Congreſs and read, reſpecting the cloathier's department in that

ſtate,

ſtate, and ſome practices relative to loan-office certificates:

Ordered, That ſo much of the extract as relates to the cloathier's department lie on the table, to be taken into conſideration with the report of the committee on the cloathier general's department:

That ſo much thereof as relates to loan-office certificates be referred to the board of treaſury.

A letter of the 7th from Robert Martin, lieutenant in the continental navy, at Snow-Hill, was read, that being there on furlough till called to duty, and hearing of a French fleet on the coaſt, he has preſumed to go on board the ſaid fleet without orders, apprehending that he may be ſerviceable there.

A letter of this day from William Croſs was read:

Ordered, That it be referred to the board of war.

A letter of this day from Ebenezer Hazard was read, upon which a motion was made:

Ordered, That the letter and motion be referred to a committee of three;

The members choſen Mr. R. H. Lee, Mr. Duer and Mr. S. Adams.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on John Gibſon, eſquire, auditor general, for fifteen hundred dollars, in favour of John Hancock, eſquire, it being for the ſum of thirteen hundred dollars advanced baron Steuben at Boſton; to enable him to proſecute his journey to confer with Congreſs at York-Town; and for two hundred dollars, the price of a horſe delivered to the ſaid baron, who is to be accountable for the ſum of fifteen hundred dollars:

That a warrant iſſue on John Gibſon, eſquire, auditor general, for three thouſand dollars, in favour of H. Laurens, eſquire, preſident of Congreſs, to pay expence of expreſſes.

Reſolved, That the reſolution of Congreſs of the 19th of May laſt, relative to bills of exchange, be ſo far re conſidered, that the word "North," preceding the word "America," be omitted in the form of the bills; and that, in lieu of the words "To ——, of the United States of North-America," be inſerted "To the Commiſſioner or commiſſioners of the United States of America at Paris."

A letter

A letter of the 10th from Silas Deane, eſquire, dated "Delaware Bay," was read, informing Congreſs of his arrival on board the Languedoc, commanded by his excellency count d'Eſtaing, who has under his command a fleet of twelve ſail of line of battle ſhips and four frigates, which ſailed from Toulon the 10th of April:

Ordered, That it be referred to a committee of three, and that they be directed to take the ſpeedieſt meaſures for furniſhing count d'Eſtaing with a ſufficient number of ſkilful pilots;

The members choſen Mr. Duer, Mr. J. B. Smith and Mr. Boudinot.

A letter of the 8th from count d'Eſtaing, commander of the French fleet, was read; whereupon

Reſolved, That general Waſhington be informed that it is the deſire of Congreſs that he co-operate with his excellency count d'Eſtaing, commander of a French ſquadron now on the coaſt of North-America, and proceeding to New-York, in the execution of ſuch offenſive operations againſt the enemy as they ſhall mutually approve.

His Moſt Chriſtian Majeſty the King of France having thought proper to ſend on the coaſts a powerful fleet, in order to co-operate with the forces of theſe ſtates in the reduction of the Bri tiſh army and navy;

Reſolved, That general Waſhington be impowered to call on the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Connecticut, Rhode-Iſland, New-York, New-Jerſey, or ſuch of them as he ſhall judge proper, for ſuch aids of their militia as he ſhall think requiſite for carrying on his operations in concert with count d'Eſtaing, commander of the French fleet; and that it be earneſtly recommended to the ſtates above mentioned to exert themſelves in forwarding the force which may be required from them with the utmoſt diſpatch.

Ordered, That the board of treaſury ſupply monſieur de Chain, who is on his way from count d'Eſtaing to general Waſhington, with any ſum he may ſtand in need of, not exceeding twenty thouſand French livres, to be charged to account of his excellency monſieur Gerard, miniſter plenipotentiary from His Moſt Chriſtian Majeſty the King of France.

Ordered, That the quartermaſter ſupply monſieur Chain with horſes or carriages to convey him to general Waſhington's Head-Quarters.

Reſolved,

Reſolved, That the marine committee be directed to order the commiſſioners of the navy to the eaſtward to fit out as many continental frigates and armed veſſels as poſſible with the utmoſt diſpatch, to join the French ſquadron in their operations againſt the enemy.

Ordered, That the board of war take meaſures for providing a ſuitable houſe for the accommodation of the ſieur Gerard, miniſter plenipotentiary, who is arrived in the Languedoc; and that they give the neceſſary orders for receiving him with proper honours on his arrival in this city.

Reſolved, That a committee of five be appointed to wait on monſieur Gerard, on his arrival, and conduct him to his lodgings;

The members choſen Mr. Hancock, Mr. R. H. Lee, Mr. Drayton, Mr. Roberdeau and Mr. Duer.

Adjourned to nine o'clock on Monday.

MONDAY, *July* 13, 1778.

Mr. Telfair, a delegate from Georgia, attended and produced the credentials of the delegates of that ſtate, which were read as follows:

"Houſe of Aſſembly, Thurſday, February 26, 1778.

"THE houſe proceeded to ballot for delegates to re-
"preſent this ſtate in Congreſs for the enſuing year,
"when the following gentlemen were choſen, to wit;
"Lyman Hall, George Walton, Joſeph Clay, John Wal-
"ton, Edward Telfair, Joſeph Wood and Edward Lang-
"worthy, eſquires. Extract from the minutes,

"GEORGE CUTHBERT, clerk."

Mr. Harvie, a delegate from Virginia, and

Mr. Forbes, a delegate from Maryland, attended and took their ſeats in Congreſs.

A letter of the 11th from the council of Pennſylvania was read:

Ordered, That it be referred to the board of war.

A letter of the 4th from governor Henry, of Virginia, was read; whereupon

Ordered, That the preſident write by expreſs to governor Henry, and requeſt him to ſpare, for the uſe of the army of the United States, all the vinegar compoſing part of the cargo of the ſhip Roderique, which was purchaſed by the ſtate of Virginia.

The

The committee for foreign affairs laid before Congreſs a letter of the 31ſt of March laſt from doctor Edward Bancroft, which was read and returned to the committee.

The committee on the treaſury brought in a report, which was read:

Ordered, That the conſideration thereof be poſtponed till to-morrow.

A letter of this day from E. Blaine, deputy commiſſary general of purchaſes, was read; whereupon

Ordered, That a warrant iſſue on John Gibſon, eſquire, auditor general, in favour of Ephraim Blaine, on his application, for three hundred thouſand dollars, for the uſe of his department; colonel Wadſworth to be accountable, and that colonel Wadſworth be informed of this application and order.

A letter of this day from Timothy Matlack was read, incloſing a copy of a letter from Samuel Hunter, county lieutenant, to colonels Henry Shoemaker, Michael Lindawood, and others, commanders of militia in Berks county:

Ordered, That the letter from Samuel Hunter be referred to the board of war, and the letters from T. Matlack to a committee of four;

The members choſen Mr. Baniſter, Mr. G. Morris, Mr. Chaſe and Mr. Dana.

Reſolved, That the commiſſary general be directed to furniſh the French ſquadron, under monſieur the count d'Eſtaing, vice admiral of France, with ſuch proviſions from time to time as ſhall be directed by the marine committee, and to make return of his proceedings and expenditures on this occaſion to that committee.

Ordered, That the committee of commerce render an account to Congreſs of the quantities of tobacco which they have purchaſed, how they have been diſpoſed of, and what quantities ſtill remain in the ſtates of Virginia and Maryland.

A letter of the 1ſt from James Jay at Boſton was read.

The committee to whom the petition from the officers, priſoners of war on Long-Iſland, was referred, brought in a report, which was read; and after being debated the determination thereof was poſtponed at the requeſt of a ſtate.

An application being made by John Nicholſon, late captain of the Hornet, and alſo an application being received

from Henry Johnſon, late captain of the brig Lexington, in the ſervice of the United States, which veſſels they have reſpectively loſt, deſiring to know which way they are to proceed in order to have their conduct enquired into;

Ordered, That the ſaid applications be referred to the marine committee, and that they take order thereon.

A motion being made reſpecting Carpenter Wharton,

Ordered, That it be referred to a committee of three;

The members choſen Mr. Drayton, Mr. Chaſe and Mr. Sherman.

Adjourned to nine o'clock to-morrow.

TUESDAY, *July* 14, 1778.

A letter of the 12th from John Harris at Paxton, directed to the ſecretary of Congreſs, on public ſervice, was laid before Congreſs and read:

Reſolved, That it be referred to the board of war, and that the board of war be directed, in conjunction with the ſupreme executive council of Pennſylvania, to take the moſt ſpeedy and practicable meaſures for repelling the preſent irruption of the Indians, and for protecting the continental magazine at Carliſle.

The ſieur Gerard being arrived in town, and having delivered to the preſident a copy of a letter from His Moſt Chriſtian Majeſty, ſigned Louis, and underneath Gravier de Vergennes, the ſame was read; whereupon

Reſolved, That his excellency the ſieur Gerard be received as miniſter plenipotentiary from His Moſt Chriſtian Majeſty to the Congreſs of the United States of America.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *July* 15, 1778.

Mr. J. Reed, a delegate for Pennſylvania, attended and took his ſeat in Congreſs.

A letter of the 12th from general Waſhington, at his Camp at Pyramus, and one of the 12th from colonel R. Weſcot, at the Forks of Little Egg Harbour; alſo ſundry papers from his excellency the ſieur Gerard, were read.

A letter of March 25th from his excellency the count de Vergennes to Silas Deane, eſquire, was read.

A letter of March 23d from the honourable William Lee, at Paris, was read, and referred to the committee for foreign affairs.

A letter of the 10th from major general Gates, at White Plains, was read.

The

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on John Gibſon, eſquire, auditor general, for five thouſand five hundred dollars, in favour of Mr. S. Adams, Mr. Gerry, Mr. Dana, Mr. Lovell and Mr. Holten, Delegates of the ſtate of Maſſachuſetts-Bay, advanced on their application; the ſaid ſtate to be accountable:

That a warrant iſſue on John Gibſon, eſquire, auditor general, for eighty thouſand dollars, in favour of the marine committee, to enable them to pay a bill drawn on them by the navy board of the eaſtern department, dated May 11th, in favour of Nathaniel Shaw, eſquire; the ſaid committee to be accountable:

That a warrant iſſue on John Gibſon, eſquire, auditor general, in favour of the committee of commerce, for four hundred and ſeventeen dollars and 35-90ths, to enable them to pay James and Adam Hunter of Virginia the balance of their account, dated the 29th of May laſt; the ſaid committee to be accountable:

That a warrant iſſue on John Gibſon, eſquire, auditor general, for nine hundred and twenty-four dollars, in favour of John Knight, in diſcharge of two bills of exchange, drawn by John Aſhe, treaſurer of the ſtate of North-Carolina, one dated January 29th, 1777, for ſeven hundred and ninety-nine dollars, in favour of Thomas Craike, the other dated May 10th, 1777, for one hundred and twenty-five dollars, in favour of Benjamin Williams; the ſaid ſtate to be accountable:

That a warrant iſſue on John Gibſon, eſquire, auditor general, in favour of Mr. Joſeph Nourſe, paymaſter to the board of war and ordnance, for thirty thouſand four hundred and ninety-four dollars and 15-90ths, upon an application of the ſaid board, to anſwer a draught of Nathaniel Shaw, junior, of New-London, in favour of captain John Mitchel, dated May 4th, 1778, for duck and lead; the ſaid J. Nourſe to be accountable.

A letter of June 30th from Hewes, Smith and Allen, at Edenton, was read:

Ordered, That it be referred to the committee of commerce.

Reſolved, That three members be added to the committee of commerce;

The members choſen Mr. Telfair, Mr. Harvie and Mr. A. Adams.

A petition

A petition from John Brown, enſign in colonel Greaton's regiment, was read.

Ordered, That the ſaid petition be diſmiſſed.

Congreſs took into conſideration a memorial from the ſieur Gerard, reſpecting priſoners taken by the ſquadron of his Moſt Chriſtian Majeſty, commanded by the count d'Eſtaing, being one of the papers received and read this morning; whereupon

Reſolved, That all priſoners taken or which may be taken by the ſquadron of His Moſt Chriſtian Majeſty, under the command of the count d'Eſtaing, vice admiral of France, be received by the commiſſary general of priſoners, and that he provide for their ſafe cuſtody and ſubſiſtance in like manner as hath been uſual for the priſoners of theſe ſtates:

That he make monthly returns of all priſoners, which ſhall be by him ſo received, to the board of war:

That he make monthly returns to the treaſury of the accounts of all monies expended for the purpoſes aforeſaid; and that the priſoners be held at the diſpoſal of His Moſt Chriſtian Majeſty, and ſubject to the orders of his excellency monſieur count d'Eſtaing.

Reſolved, That all officers in the ſervice of theſe ſtates be directed to pay proper attention to the above reſolution.

Ordered, That the paper relative to ſignals, received from his excellency the ſieur Gerard, and read this morning, be referred to the marine committee.

Ordered, That an extract of another paper from the ſieur Gerard, relative to the encouragement given by count d'Eſtaing to American armed veſſels, whether public or private, be publiſhed.

Ordered, That the note from the ſieur Gerard, ſetting forth "that among the priſoners of war, for the guard and ſubſiſtance of which he has deſired Congreſs to provide, there is one of the name of Towſon, a native of Maryland; that the birth of this captain in one of the United States, and the ſentiments he has expreſſed for his country, have determined the ſieur Gerard to refer the deciſion of his fate to Congreſs, who may grant him his full liberty if they judge him worthy of this favour," be referred to the delegates of Maryland.

A letter of the 11th from J. Wadſworth, commiſſary general of purchaſes, was read:

Ordered, That it be referred to the board of treaſury.

Congreſs reſumed the conſideration of the report from the committee of the treaſury of the 13th; whereupon

Reſolved,

Resolved, That a treasurer of loans be appointed, whose duty it shall be to sign loan-office certificates and bills of exchange for the payment of interest arising on such certificates, which shall be struck by order of Congress; to deliver such certificates and bills of exchange agreeably to the orders of the board of treasury; to receive such bills of credit as Congress shall from time to time order to be sunk and destroyed; and to perform such other services, incident to his office as may hereafter be ordered by Congress or the board of treasury:

That the treasurer of loans be allowed a salary at the rate of two thousand dollars a year.

Ordered, That Friday next be assigned for electing a treasurer of loans.

A petition from the marquis de Vienne was read; whereupon a resolution was moved in the words following;

The marquis de Vienne, a major in the service of the King of France, having served with reputation as a volunteer in the American army during the present campaign, and having requested Congress to honour him with the brevet commission of a colonel, without any pay annexed to the said rank;

Resolved, That the request of the marquis de Vienne be complied with, and that a brevet commission of colonel in the service of the United States be conferred on him.

A motion was made, to amend the resolution by inserting the word "lieutenant" before the word "colonel:" and the yeas and nays being required by Mr. Marchant,

New-Hampshire,	Mr. Bartlett,	*ay*	*ay*	
Massachusetts-Bay,	Mr. Gerry,	*no*	*no*	
	Mr. Dana,	*no*		
	Mr. Lovell,	*no*		
	Mr. Holten,	*ay*		
Rhode-Island,	Mr. Marchant,	*ay*	*ay*	
Connecticut,	Mr. Sherman,	*no*	*no*	
	Mr. Hosmer,	*no*		
	Mr. A. Adams,	*no*		
New-York,	Mr. Duer,	*no*	*	
New-Jersey,	Mr. Witherspoon,	*no*	*no*	
	Mr. Elmer,	*ay*		
	Mr. Boudinot,	*no*		
Pennsylvania,	Mr. R. Morris,	*no*	*divided*	
	Mr. Reed,	*ay*		
Maryland,	Mr. Chase,	*no*	*no*	
	Mr. Forbes,	*no*		
			Virginia,	

Virginia,	Mr. R. H. Lee,	*no*	
	Mr. Baniſter,	*no*	
	Mr. T. Adams,	*no*	*no*
	Mr. Harvie,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Matthews,	*ay*	*no*
	Mr. Heyward,	*no*	
Georgia,	Mr. Telfair,	*ay*	*ay*

So it paſſed in the negative.

The main queſtion was then put; and the yeas and nays being required by Mr. Marchant,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	
	Mr. Dana,	*ay*	
	Mr. Lovell,	*ay*	*ay*
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	
	Mr. Hoſmer,	*ay*	*ay*
	Mr. A. Adams,	*ay*	
New-York,	Mr. Duer,	*ay*	*
New-Jerſey,	Mr. Witherſpoon,	*ay*	
	Mr. Elmer,	*no*	*ay*
	Mr. Boudinot,	*ay*	
Pennſylvania,	Mr. R. Morris,	*ay*	*divided*
	Mr. Reed,	*no*	
Maryland,	Mr. Chaſe,	*ay*	
	Mr. Forbes,	*ay*	*ay*
Virginia,	Mr. R. H. Lee,	*ay*	
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	*ay*
	Mr. Harvie,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Matthews,	*no*	*ay*
	Mr. Heyward,	*ay*	
Georgia,	Mr. Telfair,	*no*	*no*

So it was reſolved in the affirmative.

Adjourned to nine o'clock to-morrow.

THURSDAY, *July* 16, 1778.

A propoſal from captain John Mitchel, commander of the French ſhip Lion, in York river, Virginia, to enter into a treaty or agreement with Congreſs for importing goods, was read:

Ordered,

Ordered, That it be referred to the committee of commerce.

Mr. Dana laid before Congreſs a letter which he received from governor G. Johnſtone, one of the commiſſioners from the King of Great-Britain, together with an extract of the ſame, as far as it relates to public matters, which extract was compared with the original and lodged with the ſecretary, and the original was returned.

Doctor Witherſpoon alſo laid before Congreſs ſundry letters he received from his friends in Scotland, and the ſame containing nothing important of a public nature were returned.

The delegates of Maryland, to whom was referred the note from the ſieur Gerard, reſpecting captain Towſon, brought in a report; whereupon

Reſolved, That full liberty be granted to captain Towſon.

Mr. Penn, a delegate from North-Carolina, attended and produced his credentials, which were read as follows:

"(L. S.) State of NORTH-CAROLINA.
"To John Penn, Cornelius Harnett, and John Willi-
"ams, eſquires, greeting.

"WHEREAS the general aſſembly have elected "you delegates to attend the Congreſs of the United "States: theſe are therefore to commiſſionate, autho- "riſe and impower you the ſaid John Penn, Cornelius "Harnett and John Williams to attend the ſaid Congreſs "of the United States of America, in behalf of this ſtate, "for one year, from the twenty-eighth day of April laſt, "unleſs ſooner recalled by the general aſſembly; and "you are hereby inveſted with ſuch powers as may make "any act done by you, or conſent given in the ſaid Con- "greſs in behalf of this ſtate, obligatory upon every in- "habitant thereof. Witneſs Richard Caſwell, eſquire, go- "vernor, captain general, and commander in chief of "the ſaid ſtate, under his hand and ſeal at arms, at "Newbern, the ſecond day of May, anno domini 1778, "and in the ſecond year of our independence.

"R. CASWELL.

"By his excellency's command,
"J. GLASGOW ſecretary,"

Mr.

Mr. Gerard having tranſmitted to Congreſs a paper, thanking Congreſs for the quick diſpatch with which they have provided for the firſt wants of the French ſquadron, and accompanied with a memorandom of the proviſions which will hereafter be neceſſary; alſo notifying that Mſ. Holker is commiſſioned "Agent of the marine of France," and deſiring that Congreſs would make him known as ſuch where it may be neceſſary:

Ordered, That the ſame be referred to the marine committee.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer for five hundred and twenty-four thouſand dollars, in favour of the marine committee, advanced upon their application, for the uſe of the navy board in the eaſtern department; the ſaid committee to be accountable:

That a warrant iſſue on John Gibſon, eſquire, auditor general, for fifty thouſand dollars; and another warrant on John Lawrence, eſquire, commiſſioner of the continental loan-office in the ſtate of Connecticut, for one hundred thouſand dollars; in favour of William Buchanan, eſquire, late commiſſary general of purchaſes, to be by him tranſmitted to Peter Colt, eſquire, deputy commiſſary general of purchaſes for the eaſtern diſtrict; the ſaid William Buchanan, eſquire, to be accountable:

That a warrant iſſue on John Gibſon, eſquire, auditor general, for thirty-ſeven thouſand five hundred and ſeventy dollars and 30-90ths, in favour of James Meaſe, eſquire, cloathier general, to enable him to anſwer two draughts of meſſieurs Otis and Andrews, one in favour of captain John Mitchel, for twenty-ſeven thouſand five hundred and ſeventy dollars and 30-90ths, the other in favour of Mr. P. Gourge, for ten thouſand dollars; the ſaid J. Meaſe, eſquire, to be accountable.

Adjourned to nine o'clock to-morrow.

FRIDAY, *July* 17, 1778.

A letter of the 14th from general Waſhington at Pyramus, Bergen county, in the ſtate of New-Jerſey, and one of the 16th from J. Nourſe, paymaſter of the board of war and ordnance, were read:

Ordered, That the letter from J. Nourſe be referred to the board of treaſury.

A letter

A letter of the 16th from the board of war was read, informing that the expreſs ſent to bring back the Seneca chiefs, is returned; that the chiefs would not conſent to return, and that the board did not think themſelves authoriſed to uſe force in the caſe: whereupon

A motion was made "that a letter be written to general Schuyler and the commiſſioners of Indian affairs, acquainting them that Congreſs have received probable information that the Seneca nation or ſome of them have very lately committed hoſtilities againſt theſe ſtates, and directing the ſaid commiſſioners to take prudent but effectual meaſures for detaining the Seneca chiefs now among us and on their way to Albany, till full information be obtained upon the ſubject, unleſs they ſhould have cogent reaſons to the contrary:"

Queſtion put,

Paſſed in the negative.

A letter of this day from Cornelius Sweers was read:

Ordered, That it be referred to the board of war, and that they iſſue ſuch orders relative to the place of Mr. Sweers's confinement, until his conduct can be examined, as they ſhall judge ſufficient for the ſecurity of his perſon.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on John Gibſon, eſquire, auditor general, for two hundred dollars, in favour of Mr. Moſley, copper-plate printer, advanced him on account.

Ordered, That the remainder of the report be re-committed.

In conſequence of a recommendation,

Reſolved, That the reverend James Francis Armſtrong be appointed chaplain to the ſecond brigade of Maryland forces.

Reſolved, That Mr. Penn be appointed a member of the marine committee, for the ſtate of North-Carolina.

Adjourned to nine o'clock to-morrow.

SATURDAY, *July* 18, 1778.

According to order Mr. J. Reed laid before Congreſs a letter from George Johnſtone, dated London, April 11, 1778, and directed to general Joſeph Reed; and alſo an

extract of a letter from Dennis d'Bert, intended as a letter of introduction for governor Johnſtone:

Ordered, That the letter from governor G. Johnſtone be publiſhed.

A letter ſigned Carliſle, William Eden, George Johnſtone, dated New-York, the 11th of July, 1778, and directed "to his excellency Henry Laurens the preſident, and others the members of Congreſs," was received and read; whereupon

Congreſs came to the following reſolution;

Whereas Congreſs, in a letter to the Britiſh commiſſioners, of the 17th of June laſt, did declare that they would be ready to enter upon the conſideration of a treaty of peace and commerce, not inconſiſtent with treaties already ſubſiſting, when the king of Great-Britain ſhould demonſtrate a ſincere diſpoſition for that purpoſe; and that the only ſolid proof of this diſpoſition would be an explicit acknowledgment of the independence of theſe ſtates or the withdrawing his fleets and armies; and whereas neither of theſe alternatives have been complied with; therefore

Reſolved, That no anſwer be given to the letter of the 11th inſtant from the Britiſh commiſſioners.

Ordered, That the ſaid letter and the foregoing reſolution be publiſhed.

Ordered, That the letter ſigned George Johnſtone, dated Philadelphia, June 16th, 1778, and directed to Robert Morris, eſquire, be publiſhed.

Ordered, That the extract of the letter from governor George Johnſtone to Mr. Dana be publiſhed.

A letter of the 17th from governor Livingſton, of New-Jerſey, was read.

A particular invoice of goods, taken and purchaſed for the uſe of the army upon the evacuation of the city of Philadelphia, being tranſmitted to Congreſs by the cloathier general,

Ordered, That it lie on the table.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on John Gibſon, eſquire, auditor general, for thirteen thouſand dollars, in favour of the committee of commerce, to enable them to pay a bill drawn on them by meſſieurs Hewes, Smith and Allen, continental agents in the ſtate of North-Carolina, for that

ſum

ſum, dated the 30th of June laſt, in favour of Mr. Benjamin Joy; the ſaid committee to be accountable.

Congreſs being informed that Ludwic Kercher, butcher, who was in the continental employ in the commiſſary's department, entered into the ſervice of the enemy and now remains in the city of Philadelphia;

Ordered, That the board of war iſſue immediate orders to have the ſaid Ludwic Kercher arreſted and ſecured.

Adjourned to nine o'clock on Monday.

MONDAY, *July* 20, 1778.

A letter of the 18th from lieutenant colonel Laurens, one of general Waſhington's aids, was read.

A letter of the 8th from governor Henry, of Virginia, was read:

Ordered, That it be referred to the board of war and ordnance, and that they be directed to take the ſame under their immediate conſideration and report thereon as ſoon as poſſible.

A letter of the 6th from general Heath was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 8th from general Heath, was read, incloſing ſundry papers relative to enſign John Brown, under ſentence of death:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Sherman, Mr. Marchant and Mr. Drayton.

A letter of the 9th from general Heath was read:

Ordered, That it be referred to the board of war.

A letter of the 15th from James Smith, directed to the honourable the vice preſident and council of the ſtate of Pennſylvania, with a depoſition of John Boſley incloſed, was laid before Congreſs and read:

Ordered, That the ſame be referred to the board of war.

A letter of the 9th from the council of Maſſachuſetts-Bay was read.

An account for funeral expences of the late monſieur du Coudray was laid before Congreſs:

Ordered, That it be referred to the board of treaſury.

The committee to whom was referred the letter of the 11th from Ebenezer Hazard, eſquire, and the papers relating thereto, report,

That

That they have had the ſame under conſideration, and having converſed with Mr. Hazard upon the ſubject, are of opinion that Mr. Hazard's undertaking is laudable, and deſerves the public patronage and encouragement, as being productive of public utility: whereupon

Reſolved, That it be recommended to the ſeveral governors, preſidents, and executive powers of the ſeveral ſtates in this union, to aſſiſt Mr. Hazard, and give facility to his labours in making a collection of the various ſtate papers relative to the origin and progreſs of the ſeveral European ſettlements in North-America, and ſuch as relate to the riſe and progreſs of the preſent war with Great-Britain: That for this purpoſe he be admitted to an inſpection of public records and be furniſhed, without expence, with copies of ſuch papers as he may judge will conduce to the valuable end he hath in view:

That it be alſo recommended to ſuch private gentlemen as may have collected any materials of the kinds above mentioned to aſſiſt Mr. Hazard in his laudable undertaking.

The committee farther report, that, in their opinion, the making this collection will not interfere with Mr. Hazard's employment in the poſt-office, nor interrupt the diſcharge of his duty as a ſurveyor of the poſt in the eaſtern department; but that Mr. Hazard muſt neceſſarily be put to expence of various kinds in procuring the extenſive collection of materials he propoſes to make. Whereupon

Reſolved, That, to enable Mr. Hazard to ſuſtain ſuch expence, one thouſand dollars be advanced to him upon account, returns being made to Congreſs of his expences in this buſineſs.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on John Gibſon, eſquire, auditor general, for ſix thouſand dollars, in favour of Joſeph Nourſe, paymaſter of the board of war and ordnance, to enable the board of war to pay colonel Broadhead three months pay of his regiment, who are now on their march to the weſtern country; the ſaid Joſeph Nourſe to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due to Mr. Governeur Morris, for his expences on the road to and from Camp, on public ſervice laſt ſpring, fifty-one dollars: To

To John Young, who was a private in the third Virginia regiment, in captain Rueben Briſcoe's company, as per certificates, for his pay from the 14th of February 1778, to the 16th of June laſt, incluſive, four months and two days, during which time he was a priſoner with the enemy in Philadelphia, twenty-ſeven dollars and 10-90ths:

To the reverend Mr. Lotbinier, a balance of eighty-ſeven dollars and 65-90ths, as per account ſtated herewith, for rations agreeable to a reſolve of Congreſs of June laſt, and for his pay and ſubſiſtance from the 11th of June to the 10th of July, 1778, the ſum of ſixty dollars, making in the whole one hundred and forty-ſeven dollars and 65 90ths:

To the chevalier de Failley, his pay as lieutenant colonel from the 1ſt of April to the 30th of June, 1778, three months, at ſixty dollars per month, one hundred and eighty dollars; and for his rations from the 1ſt of April to the 31ſt of May, ſixty-one days, at five rations per day, is three hundred and five rations at 30 90ths per ration, one hundred and one dollars and 60-90ths; and for his ſubſiſtance allowed in lieu of rations from the 1ſt to the 30th of June, 1778, incluſive, forty dollars; making in the whole three hundred and twenty-one dollars and 60-90ths:

Ordered, That the ſaid accounts be paid.

Adjourned to nine o'clock to-morrow.

TUESDAY, *July* 21, 1778.

A letter of April 3d; one of May 5th, and one of May 6th, from governor de Galves, of New Orleans, directed to meſſieurs R. Morris and W. Smith; and a letter of July 4th, from J. Morain, late captain of the ſloop Bernardo, from the Miſſiſippi, at Edenton, North-Carolina, with an invoice of her cargo; and ſundry letters and papers from M. Pollock, at New Orleans; were laid before Congreſs and read:

Ordered, That they be referred to the committee of commerce.

A letter of June 23d, from the council of Maſſachuſetts-Bay was read:

Ordered, That ſo much as relates to money be referred to the board of treaſury; and the remainder to a committee of three;

The members choſen Mr. Dana, Mr. Reed and Mr. Sherman.

Purſuant

Purſuant to the powers in them veſted the delegates of North-Carolina ſigned the ratification of the articles of confederation, in behalf of that ſtate.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on John Gibſon, eſquire, auditor general, in favour of John Penn, for one thouſand and ſeventy one dollars, in diſcharge of three bills of exchange drawn on the continental treaſurer by John Aſhe, treaſurer of the ſtate of North-Carolina, one dated January 29th, 1777, in favour of Thomas Craike, for two hundred and fifty dollars; one other dated May 9th, 1777, in favour of Coſmo Medici, eſquire, for three hundred and twenty-one dollars; each of which is expreſſed to be for cloathing the continental troops in that ſtate; the other dated May 9th, 1777, in favour of Thomas Donalho, for five hundred dollars, and endorſed by him to Robert Williams, and expreſſed to be for the ſervice of the United States; which ſeveral bills are to be charged to the ſtate of North-Carolina, in part of the grant in favour of the ſaid ſtate for five hundred thouſand dollars.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *July* 22, 1778.

A letter of the 17th from Mr. W. Smith at Baltimore was read, informing that his private buſineſs puts it out of his power to give any farther attendance at the navy board, now removed to Philadelphia, and therefore requeſting Congreſs will accept his reſignation; whereupon

Reſolved, That the reſignation of William Smith, as commiſſioner of the navy board in the middle diſtrict, be accepted.

The board of war, to whom were referred the letters from his excellency P. Henry, governor of Virginia, dated the 8th and 10th of July, brought in a report, which was taken into conſideration, and after debate,

Ordered, That it be re-committed.

Reſolved, That a member from Pennſylvania and a member from Virginia be appointed to confer with the board of war on the ſubject of this report;

The Members choſen Mr. Reed and Mr. Harvie.

Ordered,

Ordered, That the board of war and committee meet on this buſineſs forthwith, and report thereon as ſoon as poſſible.

A letter of the 16th from governor Henry, of Virginia, was read.

The committee on the treaſury brought in a report.

Adjourned to nine o'clock to-morrow.

THURSDAY, *July* 23, 1778.

Mr. J. Walton, a delegate from Georgia, attended and took his ſeat in Congreſs.

The delegates from Georgia laid before Congreſs the proceedings of the aſſembly of that ſtate, reſpecting the articles of confederation, which were read.

A letter of the 22d from Frederic Tracey, with two letters incloſed from Mr. J. Moore, was read:

Ordered, That the ſame be referred to the board of war.

A letter of March 11th, 1778, from don Diego Joſeph Navarro, at Havannah, was read.

Two commiſſions from the ſieur Gerard, miniſter plenipotentiary of His Moſt Chriſtian Majeſty, to monſieur J. Holker, both dated at Philadelphia, July 15th, 1778; the one appointing him the ſaid John Holker inſpector general of trade and manufactures of France, and agent to the royal marine of France; the other appointing him the ſaid J. Holker inſpector general of trade and manufactures of France, conſul of France in the port of Philadelphia: whereupon two reſolutions were moved.

On motion

Reſolved, That the ſaid commiſſions, with the reſolutions moved, be referred to a committee of five;

The members choſen Mr. Chaſe, Mr. R. Morris, Mr. Duer, Mr. Gerry and Mr. Heyward.

A petition from Richard Marven and Samuel Shaw was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Dana, Mr. Drayton and Mr. G. Morris.

A petition from merchants in Philadelphia, and a letter from White and Chaloner, directed to Thomas and Iſaac Wharton, were read:

Ordered, That the ſame be referred to a committee of four;

The members choſen Mr. Duer, Mr. Harvie, Mr. Holten and Mr. Drayton.

Ordered,

Ordered, That the letter of the 9th inſtant, from major general Arnold, be referred to the ſaid committee.

Reſolved, That the ſaid committee, in conjunction with the committee appointed or to be appointed by the ſupreme executive council of the ſtate of Pennſylvania, be authoriſed to aſcertain the property of the goods, wares and merchandize in poſſeſſion of the inhabitants of the city of Philadelphia, at the time it was evacuated by the enemy, viz. ſo far as to determine whether any or what part thereof may belong to the king of Great-Britain or any of his ſubjects, agreeably to the reſolution of the 4th of June laſt.

Ordered, That the invoice of goods, taken and purchaſed for the uſe of the army upon the evacuation of the city of Philadelphia by the enemy, which was, according to order, tranſmitted to Congreſs by the cloathier general, be referred to the foregoing committee.

The determination of the queſtion poſtponed at the requeſt of a ſtate on the 13th was called for; a debate ariſing thereon, and a doubt ariſing reſpecting the power of the two delegates from Georgia to give the vote of that ſtate;

Ordered, That the credentials heretofore given to delegates from Georgia, together with the credentials of the attending members from that ſtate, be laid before Congreſs.

Adjourned to nine o'clock to-morrow.

FRIDAY, *July* 24, 1778.

According to order the credentials heretofore given to delegates from Georgia, together with the credentials of the attending members from that ſtate, were laid before Congreſs and read; whereupon

Reſolved, That any one of the delegates from Georgia, or a majority of thoſe preſent, is fully authoriſed to repreſent and give the vote of that ſtate.

A queſtion was then moved, Whether one delegate from North-Carolina is impowered, under the credentials laſt given, to repreſent and give the vote of that ſtate? whereupon

Reſolved, That any one of the delegates of North-Carolina is impowered, when only one is preſent, to give the vote of that ſtate:

The yeas and nays being on this queſtion required by Mr. Chaſe, New-

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts Bay,	Mr. Gerry,	*no*	
	Mr. Dana,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
	Mr. Collins,	*no*	
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. A. Adams,	*ay*	
New-York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	
	Mr. Elmer,	*ay*	*ay*
	Mr. Scudder,	*no*	
Pennſylvania,	Mr. R. Morris,	*ay*	*ay*
	Mr. Reed,	*ay*	
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Forbes,	*no*	
Virginia,	Mr. R. H. Lee,	*no*	
	Mr. Baniſter,	*ay*	*ay*
	Mr. T. Adams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Drayton,	*ay*	*ay*
	Mr. Heyward,	*ay*	
Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*ay*	

So it was reſolved in the affirmative.

A memorial from Francis Hopkinſon and John Wharton, commiſſioners of the navy board in the middle diſtrict, was read, incloſing an account of their expences at Baltimore in Maryland, on public buſineſs by order of the marine committee:

Ordered, That it be referred to the marine committee.

The determination of the queſtion poſtponed by a ſtate was called for:

Whereupon it was moved and

Reſolved, That the determination of that queſtion be poſtponed.

Purſuant to the powers in them veſted, the delegates of Georgia ſigned the ratification of the confederation.

Congreſs took into conſideration the report from the board of treaſury; and ſome time being ſpent thereon,

Ordered,

Ordered, That the farther conſideration thereof be poſtponed till to-morrow.

Adjourned to nine o'clock to-morrow.

SATURDAY, *July* 25, 1778.

A letter of the 6th from Mr. preſident Lowndes, of South-Carolina, was read:

Ordered, That it be referred to the medical committee.

A letter of the 15th from monſieur de Francey, at Williamſburg, was read:

Ordered, That it be referred to the committee of commerce, and that they report thereon with all expedition.

The committee of foreign affairs laid before Congreſs a copy of the proceedings at a maritime court againſt the ſnow "Our Lady of Mount Carmel:"

Ordered, That it be referred to the committee on the letter of the 1ſt of June, from the board of war for the ſtate of Maſſachuſetts-Bay.

Congreſs reſumed the conſideration of the report of the board of treaſury of the 22d; whereupon

Ordered, That, upon application of the board of war and ordnance, a warrant iſſue on John Gibſon, eſquire, auditor general, for ſeventeen thouſand eight hundred and forty-nine dollars and 45-90ths, in favour of Joſeph Nourſe, paymaſter of the ſaid board, to be iſſued by them for the purchaſe of cloathing; the ſaid Joſeph Nourſe to be accountable:

That a warrant iſſue on John Gibſon, eſquire, auditor general, for ſeventy-nine thouſand nine hundred and eighty dollars and 30-90ths, in favour of James Meaſe, eſquire, cloathier general, to enable him to pay the following draughts of Otis and Andrews, of Boſton, viz. in favour

Of Lee and Jones, for	8000	
Of Codman and Smith,	1035	
Of Thomas Ruſſell,	18333	30-90ths
Of monſieur A. Cabott,	36000	
Of Mr. E. Gerry,	3475	
Of S. P. Savage,	10000	
	70843	30-90
And a draught of Joſeph Pennell, of Virginia, for ſundries furniſhed major Lee's corps,	9137	
Making in the whole	79980 dollars and 30 90ths.	

The

The board of treaſury having recommended ſundry perſons, and among them one of an eccleſiaſtical character, as inſpectors of the preſſes for ſtriking bills of credit, bills of exchange, and loan-office certificates,

A motion was made, that the ſenſe of the houſe be taken, Whether it is proper that Congreſs ſhould appoint any perſon of an eccleſiaſtical character to any civil office under the United States?

Whereupon the previous queſtion was moved, and the yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	
	Mr. Gerry,	*ay*	
	Mr. Dana,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. A. Adams,	*ay*	
New-York,	Mr. Duer,	*no*	*no*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Elmer,	*ay*	
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. Reed,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Plater,	*no*	
	Mr. Forbes,	*no*	
Virginia,	Mr. Baniſter,	*ay*	*
	Mr Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
South-Carolina,	Mr. Laurens,	*no*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*ay*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Walton,	*no*	*no*
	Mr. Telfair,	*no*	

So it was reſolved that the main queſtion be not now put.

Reſolved, That the remainder of the report, reſpecting a grant to the ſtate of Maſſachuſetts-Bay, be poſtponed.

The committee on the treaſury brought in another report; whereupon

Ordered,

Ordered, That a warrant iſſue on the treaſurer of the ſtate of Connecticut, for one hundred thouſand dollars, to be paid out of the money aſſeſſed by that ſtate, agreeably to the reſolution of Congreſs of the 22d of November laſt, and another warrant on John Lawrence, eſquire, commiſſioner of the continental loan-office in the ſaid ſtate, for one hundred thouſand dollars, in favour of Ebenezer Hancock, eſquire, deputy paymaſter general of the eaſtern diſtrict, for the uſe of his department, he to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims at the treaſury, the auditor general reports,

That there is due to Mr. Francis Dana, for his expences from Camp to York-Town, and his ſervant's expences going and returning, ſixty-one dollars and 60 90ths:

To William Widdifield, for ſix windſor chairs for the uſe of the treaſury office, forty-two dollars:

To John Pinkerton, for ſix windſor chairs for the uſe of the treaſury office, forty two dollars:

Ordered, That the ſaid accounts be paid.

Reſolved, That the remainder of the report, reſpecting the account of lieutenant Andrew M'Farlain, be poſtponed.

The board of war, to whom were referred the letters from his excellency Patrick Henry, eſquire, governor of Virginia, dated the 8th and 10th of July, report;

"That from various enquiries made by the board it appears that ſucceſs in an expedition againſt Detroit cannot be reaſonably expected unleſs the force deſtined for that ſervice be ready to march from Fort Pitt by the firſt of September:

That from the letters received from governor Henry and Mr. Patrick Lockart, appointed to act as commiſſary, &c. on the above expedition, it appears that the capital articles neceſſary for carrying on the expedition, viz. men, horſes, flour and beeves cannot be procured by any means within the time limited, and probably not even during the courſe of the preſent year:

That from the extraordinary riſe of articles, eſpecially of horſes, ſince the expedition was firſt determined on, the expence of it, if practicable, would exceed in an enormous degree, the eſtimate formed by the late commiſſioners at Fort Pitt, and ſubmitted by the board to the conſideration of Congreſs": whereupon

Reſolved,

Resolved, That the expedition against the fortress of Detroit, be for the present deferred:

That brigadier M'Intosh be directed to assemble at Fort Pitt, as many continental troops and militia as will amount to fifteen hundred, and proceed without delay to destroy such towns of the hostile tribes of Indians, as he in his discretion shall think will most effectually tend to chastise and terrify the savages, and to check their ravages on the frontiers of these states:

That such of the articles as have been already procured for the expedition against Detroit, and which are necessary for the incursion against the Indian towns, be appropriated for that purpose, and that the board of war be directed to give the necessary orders on this point:

That governor Henry be informed of the determination of Congress with respect to the intended expedition, and that he be desired to furnish brigadier M'Intosh with such a number of militia as he shall apply for, to make up the complement of men destined for an incursion into the towns of the hostile Indians:

That the president be directed to inform governor Henry that Congress have a high sense of the zeal of the assembly of Virginia, in voting at their late session a reinforcement of infantry and cavalry for the main army, but that a change in circumstances renders the march and services of those troops at present inexpedient:

That governor Henry be therefore requested to cease raising the troops voted, and to order such of the infantry as are already raised and are in the vicinity of the frontiers, together with a troop of cavalry, not exceeding fifty men, under the command of an intelligent and active officer, forthwith to join brigadier M'Intosh at Fort Pitt:

That it appearing most evidently that the late incursion at Wyoming and the adjacent parts has been made by the Senecas and some other tribes of the six Nations, aided by tories and other banditti from the frontiers of New-York, New-Jersey and Pennsylvania, the expedition meditated against them from the northward be forwarded with all possible dispatch, and that the board of war take the necessary steps for that purpose:

That in respect to the harvest and the deplorable situation of the frontiers, in consequence of the late irruption of the enemy, colonel Hartley's regiment be continued there till the retreat of the enemy be fully ascertained,

the

the harveſt ſecured, and the apprehenſions of the inhabitants quieted.

The committee to whom was referred the ſieur Gerard's intended ſpeech at the public audience brought in the draught of an anſwer, which was taken into conſideration; and after debate,

Reſolved, That the farther conſideration thereof be poſtponed to Monday.

Adjourned to ten o'clock on Monday.

MONDAY, *July* 27, 1778.

A letter of the 22d from general Waſhington, at his camp near White-Plains, was read, incloſing copies of letters from him to the count d'Eſtaing, and ſundry papers relating to eight perſons ordered from Bennington into the enemy's lines, and a letter of the 14th of June from captain Caleb Gibbes:

Ordered, That the papers relating to the eight perſons ſent from Bennington, lie on the table for conſideration:

That the letter from captain Gibbes, together with ſo much of general Waſhington's letter as relates thereto, be referred to the board of war.

A letter of the 22d from major general Gates at White-Plains was read; alſo a letter of the 21ſt from brigadier S. H. Parſons, directed to J. Lovell and T. Hoſmer, eſquires, referred to in general Gates's letter, was laid before Congreſs and read:

Ordered, That the ſame be referred to a committee of four:

The members choſen Mr. Drayton, Mr. Harvie, Mr. Reed and Mr. Duer.

A letter of the 19th from major general Schuyler was read, incloſing minutes of the commiſſioners of Indian affairs for the northern department in the month of June laſt:

Ordered, That the ſame be referred to the board of war.

A letter of the 19th from Mr. J. Smith, at York-Town, to Mr. R. Morris, reſpecting the ſituation of our priſoners in the power of the enemy, was laid before Congreſs and read:

Ordered, That it be referred to the marine committee.

Reſolved,

Resolved, That the board of war and marine committee be, and they are hereby, respectively directed to cause the land and sea prisoners in the power of these states to be forthwith treated in all respects, as near as may be, in such manner as the American land and sea prisoners in the power of the enemy are or shall from time to time be treated; provided, that nothing contained in this resolution shall be construed to extend so far as to prevent an exchange of prisoners upon fair and equitable principles.

A letter of the 18th of April last from J. Diana, at St. Pierre, Martinique, was read:

Ordered, That it be referred to the committee of commerce.

The committee on the treasury laid before Congress a deposition of Thomas Clifton, respecting colonel B. Flower's accounts, which was read; and thereupon sundry motions being made,

Ordered, That the depositions, with the motions, be referred to a committee of three;

The members chosen Mr. Dana, Mr. Drayton and Mr. Reed.

Congress proceeded to the election of inspectors of the presses for striking bills of credit, bills of exchange and loan-office certificates, and the ballots being taken, the following gentlemen were elected;

Mr. Isaac Snowden, Mr. Isaac Howell, Mr. Peter Thomson, and Mr John Biddle.

Congress proceeded to the election of a treasurer of loans, and the ballots being taken,

Mr. Francis Hopkinson was elected.

Congress being informed that there are only two members of the committee on appeals now present, and that sundry causes are now ready for trial;

Resolved, That three members be added to the committee for hearing and determining appeals, and that any three of the said committee be impowered to hear and finally determine appeals to Congress from the judgment of courts of admiralty;

The members chosen Mr. Reed, Mr. Drayton and Mr. Boudinot.

Adjourned to nine o'clock to-morrow.

TUESDAY,

TUESDAY, *July* 28, 1778.

A letter of the 27th from captain Manly was read:

Ordered, That it be referred to the marine committee.

A memorial from captain Joſiah Stoddard, and a petition from the ſaid captain Stoddard and other officers of the cavalry; a letter of the 24th from major general Gates; one of June 28th from brigadier S. H. Parſons, in favour of the chevalier de Laneuville and major Noirmont de Laneuville; alſo a letter from the chevalier de Laneuville, were read:

Ordered, That the ſame be referred to the board of war.

The committee of commerce laid before Congreſs a letter of March 5th from Stephen Sayre, at Copenhagen, and one of March 20th from C. A. Fabritius, with a paper of intelligence, which were read:

Ordered, That the paper of intelligence be referred to the committee of intelligence; and that the letters be returned to the committee of commerce, and that they report thereon.

A letter of the 27th from colonel Knoblauch, a Pruſſian nobleman, was read, with ſundry papers incloſed:

Ordered, That the ſame be referred to a committee of three; and that they confer with colonel Knoblauch;

The members choſen Mr. R. H. Lee, Mr. G. Morris and Mr. Lovell.

A repreſentation from John Beatty, eſquire, commiſſary general of priſoners, was read, reſpecting the diſtreſſed ſtate of the officers, priſoners in the hands of the enemy:

Ordered to lie on the table.

Papers relative to the monument for the late general Montgomery were laid before Congreſs:

Ordered, That they be referred to the delegates of New-York.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of John Gibſon, eſquire, auditor general, for the ſum of twenty thouſand dollars, to enable him to diſcharge the reſidue of a warrant of the preſident of Congreſs on him, dated the 13th of September laſt, in favour of the continental navy board, for fifty thouſand dollars; the ſaid auditor general to be accountable.

Ordered,

Ordered, That the quartermaſter general furniſh the honourable the ſieur Gerard, miniſter plenipotentiary of His Moſt Chriſtian Majeſty, with ſuch and ſo many horſes and ſuch forage as he ſhall direct; and that he deliver from time to time ſpecial accounts of the prices of the ſaid horſes and forage to the board of treaſury.

A memorial from Bryan Lefferty was read:

Ordered, That it be referred to the board of war.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *July* 29, 1778.

A letter from Silas Deane, eſquire, late commiſſioner at the court of France, was read:

Ordered to lie on the table.

A letter of the 8th from B. Harriſon, eſquire, deputy paymaſter general in Virginia, was read, incloſing an abſtract of his monthly account:

Ordered, That the ſame be referred to the board of treaſury.

A letter of the 25th from Jonathan Trumbull, junior, eſquire, paymaſter in the northern department, was read, requeſting, as the northern and ſouthern armies are joined, and for ſundry reaſons ſet forth, that Congreſs will be pleaſed to ſuffer him to reſign his employment; whereupon

Reſolved, That Jonathan Trumbull, junior, eſquire, paymaſter in the northern department, have leave to reſign his employment.

Ordered, That Jonathan Trumbull, junior, eſquire, pay over the public monies in his hands to William Palfrey, paymaſter general, taking duplicate receipts, and that he tranſmit one of them to the treaſury board; and that Mr. Trumbull ſettle his accounts as ſoon as may be.

Two memorials from the honourable ſieur Gerard were read, one reſpecting a deſerter from the frigate Chimere, and the other reſpecting the ſailing of the ſaid frigate:

Ordered, That they be referred to the marine committee.

The marine committee laid before Congreſs two letters, one dated May 18th, the other June 1ſt, from John Wereat, continental agent in Georgia, complaining of the conduct of colonels White and Elbert in the ſale of three veſſels captured from the enemy, and other papers relating thereto; whereupon

Ordered, That the marine committee take proper meaſures for referring to the governor and council of Georgia an enquiry into the conduct of colonels White and Elbert, in the complaint againſt them by Mr. John Wereat, to give the ſaid colonels an opportunity of being heard in their defence; and that the reſult of the ſaid enquiry be reported to Congreſs as ſoon as may be.

A petition from Hector M'Neil was read:

Ordered, That it be referred to the marine committee.

The board of war, to whom were referred the memorial of the chevalier de la Neuville, inſpector to the northern army, and ſundry letters from general Gates and brigadier Parſons, brought in a report, which was taken into conſideration, and after debate

Reſolved, That the farther conſideration thereof be poſtponed.

The board of war farther reported,

That monſieur Noirmon de la Neuville, ſince the month of December, has acted as aid de camp to major general Conway, and ſince the appointment of his brother, as inſpector to the northern army, has diſcharged the duties of deputy inſpector with uncommon aſſiduity and much ſatisfaction to the officers and men of the northern army: whereupon

Reſolved, That monſieur Noirmont de la Neuville have the rank of a major by brevet in the American army.

The board farther report, That the reaſons for which Mr. Bryan Lefferty was made a priſoner of war to the United States, appear to them no longer to ſubſiſt: whereupon

Reſolved, That Mr. Bryan Lefferty be diſcharged from his parole, and that the ſum allowed him by Congreſs heretofore for his ſupport be paid up to this time.

The board of war brought in another report, which was taken into conſideration; and thereupon

Reſolved, That if any of the ſtates, in which captain Bartholemew Van Herr ſhall recruit, for his troop of marechaſſeurs, ſhall give to perſons inliſting in the ſame for three years or during the war, the bounty allowed by the ſtate, in addition to the continental bounty, the men ſo furniſhed, not being inhabitants of any other of the United States, ſhall be credited to the quota of the ſtate in which they ſhall be inliſted.

Reſolved, That Caleb Gibbes, eſquire, now commanding the corps of guards with the grand army, be promoted

ed to the rank of a major in the ſervice of the United States.

Whereas monſieur Francis Joſeph Smith has requeſted a commiſſion, to be made uſe of in caſe of his being made a priſoner while ſerving as a volunteer in the American army:

Reſolved, That monſieur Francis Joſeph Smith have a commiſſion of an enſign by brevet in the army of the United States.

Ordered, That Mr. Collins have leave of abſence.

Adjourned to nine o'clock to-morrow.

THURSDAY, *July* 30, 1778.

A memorial from the honourable ſieur Gerard was read, reſpecting Mr. William Straker, taken on board the Engliſh ſhip "The Lord Howe," and ſent to Philadelphia by his excellency monſieur the count d'Eſtaing:

Ordered, That it be referred to the board of war.

Reſolved, That the commiſſary general of priſoners be directed to engage in the continental ſervice all, or as many as he can, of the ſeamen ſent from New-York by admiral Gambier, who ſhall appear to be effective or likely to be ſoon fit for ſervice; and that he furniſh ſuch as will ſo engage, with the means of travelling to Boſton, where they are to be delivered to the commiſſioners of the navy for the eaſtern diſtrict, to be ſhipped on board the continental veſſels of war fitting out at that port:

That the ſaid commiſſioners be authoriſed to make ſuch advances to theſe ſeamen as is uſual in the port of Boſton, making reaſonable deductions for the expences to that place; provided always that this reſolution ſhall not extend ſo as to prevent any particular ſtate from applying in New-Jerſey for ſuch of the ſeamen as belong to ſuch ſtate.

Congreſs took into conſideration a report from the board of treaſury of the 15th of April laſt, for the eſtabliſhment of a new board; and after debate,

Reſolved, That it be referred to a committee of five.

The members choſen Mr. G. Morris, Mr. Gerry, Mr. Witherſpoon, Mr. Telfair and Mr. R. H. Lee.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of colonel E. Boudinot, late commiſſary general of priſoners,

ners, for fifteen thouſand dollars, to enable him to diſcharge ſome arrears of that department; the ſaid colonel Boudinot to be accountable.

Reſolved, That five millions of dollars be emitted under the direction of the board of treaſury and on the faith of the United States:

That the bills ſhall, excepting the numbers, be of the ſame tenor and date as the emiſſion directed on the 11th day of April laſt, and be numbered from the laſt number of each denomination progreſſively, and conſiſt of the following denominations, viz.

41667	of the denomination of	40 dollars,	1666680
41667	- - - -	30 do.	1250010
41666	- -	20 do.	833320
41666	- - - -	8 do.	333328
41666	- -	7 do.	291662
41667	- - - -	6 do.	250002
41666	- -	5 do.	208330
41667	- - - -	4 do.	166668
			5,000,000

The committee to whom was referred the petition of Richard Marven and Samuel Shaw, brought in a report, which was taken into conſideration; whereupon

Reſolved, That it is the duty of all perſons in the ſervice of the United States, as well as all other the inhabitants thereof, to give the earlieſt information to Congreſs or other proper authority of any miſconduct, frauds or miſdemeanors committed by any officers or perſons in the ſervice of theſe ſtates, which may come to their knowledge.

Whereas a ſuit has been commenced by Eſek Hopkins, eſquire, againſt Richard Marven and Samuel Shaw, for information and complaint by them and others made to Congreſs againſt the ſaid Eſek Hopkins, while in the ſervice of the United States:

Reſolved, That the reaſonable expences of defending the ſaid ſuit be defrayed by the United States.

Ordered, That the ſecretary of Congreſs furniſh the petitioners with atteſted copies of the records of Congreſs ſo far as they relate to the appointment of Eſek Hopkins, eſquire, to any command in the continental navy, and his diſmiſſion from the ſame, and alſo to the proceedings of Congreſs upon the complaint of the petitioners againſt

againſt the ſaid Eſek Hopkins, preferred to Congreſs through the marine committee as mentioned in their petition.

Reſolved, That Thurſday next be aſſigned for giving audience to the honourable ſieur Gerard, miniſter plenipotentiary from His Moſt Chriſtian Majeſty.

Congreſs proceeded to the election of two members to wait upon the honourable ſieur Gerard, and conduct him to the audience;

The members choſen Mr. R. H. Lee and Mr. S. Adams.

Adjourned to nine o'clock to-morrow.

FRIDAY, *July* 31, 1778.

Reſolved, That a committee of three be appointed to direct and ſuperintend an entertainment to be given by Congreſs to the honourable ſieur Gerard, miniſter plenipotentiary from His Moſt Chriſtian Majeſty, on Thurſday next, the day aſſigned for his public audience;

The members choſen Mr. Reed, Mr. Dana and Mr. G. Morris.

A letter of the 23d from J. Wadſworth, commiſſary general of purchaſes, directed to E. Blaine, eſquire, one of his deputies, was laid before Congreſs and read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. G. Morris, Mr. R. Morris and Mr. Holten.

A letter of the 30th from the board of war, with one incloſed from J. Beatty, eſquire, commiſſary of priſoners, dated July 24th, was read:

Ordered, That the ſame be referred to the board of treaſury.

Reſolved, That Mr. Duer, agreeably to his requeſt, be excuſed from attending the committee appointed on the 23d inſtant to aſcertain the property of the goods, wares and merchan dize in poſſeſſion of the inhabitants of the city of Philadelphia at the time it was evacuated by the enemy, to wit, ſo far as to determine whether any or what part thereof may belong to the king of Great-Britain or to any of his ſubjects, agreeably to the reſolution of the 4th of June laſt, and for other purpoſes; and that another be appointed in his room;

The member choſen, Mr. Marchant.

An extract from the minutes of the ſupreme executive council of Pennſylvania was laid before Congreſs, appointing

pointing the honourable vice preſident, Mr. Hart, Mr. Reed and Mr. Hoge a committee to meet with the committee of Congreſs of the 23d of July, mentioned in the foregoing reſolution:

Ordered, That it be referred to the ſaid committee.

A memorial from J. Mitchell, eſquire, deputy quarter-maſter general, was read:

Ordered, That it be referred to the foregoing committee.

A memorial and account of colonel M. Swoope;

A petition from monſieur Pierre Saverit;

A petition from William Cooper, and

A petition from Charles Berge, printer, were read:

Ordered, That they be referred to the board of war.

A memorial from William Storey, clerk of the navy board in the eaſtern department, was read:

Ordered, That it be referred to the marine committee.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer for three thouſand two hundred dollars, in favour of Paul Feager, it being an advance made him on account of making money paper.

Reſolved, That Mr. Benjamin Randolph, of the city of Philadelphia, be, and he is hereby appointed, to ſuperintend the making of paper for loan-office certificates and bills of exchange.

Congreſs reſumed the conſideration of the report of the committee to whom the petition from the priſoners of war on Long-Iſland was referred; whereupon

Reſolved, That the commiſſioners of claims be directed to examine the eſtimate of the accounts due for cloathing and board for our priſoners of war in the hands of the enemy.

Reſolved, That a ſum of money in ſpecie, not exceeding twenty-ſix thouſand ſix hundred and ſixty-ſix dollars and two thirds of a dollar, be iſſued to Elias Boudinot, eſquire, late commiſſary general of priſoners, for the diſcharge of ſuch accounts, for which he is to be accountable.

The yeas and nays being required by Mr. Chaſe, on the queſtion for paſſing this part of the report,

New-Hampſhire,	Mr. Bartlett,	*no* | *no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no* }
	Mr. Dana,	*no* } *no*
	Mr. Lovell,	*no* }
	Mr. Holten,	*no* } Rhode-

Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Hoſmer,	*no*	
	Mr. A. Adams,	*no*	
New-York,	Mr. Lewis,	*no*	*divided*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Scudder,	*ay*	*ay*
	Mr. Boudinot,	*excuſ.*	
Pennſylvania,	Mr. Reed,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Forbes,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*ay*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*ay*	

So it was reſolved in the affirmative.

Adjourned to nine o'clock to-morrow.

SATURDAY, *Auguſt* 1, 1778.

A letter of July 22d, from general Armſtrong was read:

Ordered, That it be referred to the board of war.

Two letters from general Waſhington, one dated June 18th, and the other July 25th, with a copy of general orders reſpecting the office of inſpector general, were read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Reed, Mr. Boudinot and Mr. Chaſe.

A letter of July 31ſt, from the board of war was read, repreſenting that, purſuant to the orders of Congreſs, Cornelius Sweers has been ſecured in ſuch manner as the board of war deemed ſufficient, while it remained in a degree doubtful, whether or not he had been guilty of frauds againſt the ſtates; that the matter being now reduced to a certainty, and the ſums deficient amounting to many thouſand pounds, the board are uneaſy at his remaining guarded only by ſentries, and thoſe of raw troops: whereupon

Ordered,

Ordered, That Cornelius Sweers, deputy commiſſary general of military ſtores, now in cuſtody by order of this houſe, be immediately cloſely confined in the public jail within this city, and that he be charged with malconduct in his office, generally and particularly with the crime of forgery.

Reſolved, That the executive council of the ſtate of Pennſylvania be requeſted to direct the keepers of their jail to receive into cuſtody and ſafely keep the ſaid Cornelius Sweers.

Ordered, That the letter from the board of war be referred to the committee on the depoſition of Thomas Clifton, and that the committee be directed to report on the mode of trying Cornelius Sweers and bringing him to juſtice.

Reſolved, That a committee of three be appointed to conſider of and report to Congreſs ſuch recommendations to the legiſlatures of the ſeveral ſtates for the enacting of laws, calculated to enable Congreſs, as the ſuperintending executive of the United States, to proceed in civil and criminal caſes as the nature of ſuch government may require;

The members choſen Mr. Reed, Mr. Dana and Mr. Drayton.

A letter of July 28th, from the board of war was laid before Congreſs, together with an invoice of goods bought of Peter Whiteſides and Co.

Ordered, That the ſame be referred to the board of treaſury.

The marine committee brought in a report, which was read, and after debate,

Reſolved, That it be re-committed.

The committee of commerce, to whom was referred a letter of July 15th from monſieur de Francey, brought in a report, which was taken into conſideration; whereupon

Ordered, That the cargoes of the ſnow Speedwell and of the brigantines Braxton, governor Johnſtone and Morris, now ready to ſail from America for France, be conſigned to the commiſſioners of Congreſs at Paris, who are directed to ſettle the accounts of Mr. John Roſs with Congreſs, and to pay him the balance thereof out of the proceeds of the ſaid cargoes; and the reſidue, if any, to the houſe of Hortalez and Company, as they judge proper.

Ordered,

Ordered, That the ſhip Virginia, now laying laden with a cargo of tobacco on public account in Virginia, be conſigned to Roderique Hortalez and company.

Adjourned to nine o'clock on Monday.

MONDAY, *Auguſt* 3, 1778.

A letter of the 2d and one of the 3d from Cornelius Sweers were read; whereupon

A motion was made,

That colonel Benjamin Flower, commiſſary general of military ſtores, be immediately arreſted and cloſely confined in the jail of this town:

To which an amendment was moved,

That a member of this houſe be appointed forthwith to repair to the place where Cornelius Sweers, late deputy commiſſary of military ſtores, is confined, and to take the depoſition of the ſaid Cornelius Sweers, relative to the charge made by him againſt colonel Benjamin Flower, for frauds in his office; and in caſe it ſhould appear, on the depoſition of the ſaid Cornelius Sweers, that colonel Flower is charged with frauds and mal-practices in the diſcharge of his office, in ſuch caſe notice be given to the board of war, who are hereby ordered to arreſt the ſaid Benjamin Flower without delay, and to confine him in jail, taking care to ſecure his money and effects, and all his papers of a public nature.

On which amendment the yeas and nays being required by Mr. Duer,

New Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Dana,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Hoſmer,	*no*	
	Mr. A. Adams,	*no*	
New-York,	Mr. Duer,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*no*	*divided*
	Mr. Boudinot,	*ay*	
Pennſylvania,	Mr. R. Morris,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Forbes,	*no*	
	Mr. Plater,	*ay*	

Virginia,	Mr. R. H. Lee,	*ay*	
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	*ay*
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*no*	*no*
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Drayton,	*no*	*divided*
	Mr. Matthews,	*no*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Telfair,	*ay*	*ay*

So it paſſed in the negative.

Another amendment was moved in the words following;

Colonel Benjamin Flower, commiſſary general of military ſtores, being charged with mal-conduct in the execution of his office, Ordered, That he be arreſted and ſafely kept until the further order of Congreſs:

On this the yeas and nays being required by Mr. Chaſe,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	
	Mr. Dana,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	
	Mr. Hoſmer,	*no*	*ay*
	Mr. A. Adams,	*ay*	
New-York,	Mr. Duer,	*ay*	
	Mr. G. Morris,	*ay*	*ay*
Pennſylvania,	Mr. R. Morris,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*no*	
	Mr. Plater,	*ay*	*ay*
	Mr. Forbes,	*ay*	
Virginia,	Mr. R. H. Lee,	*ay*	
	Mr. Baniſter,	*no*	*divided*
	Mr. T. Adams,	*ay*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Drayton,	*no*	*divided*
	Mr. Matthews,	*ay*	
	Mr. Heyward,	*no*	
Georgia,	Mr. Telfair,	*ay*	*ay*

So it was reſolved in the affirmative.

Ordered,

Ordered, That the board of war carry into execution the foregoing order.

Ordered, That the continental treaſurer make no farther payments of money to colonel Benjamin Flower, or his order, upon any warrant heretofore granted, until farther order of Congreſs.

A letter of the 2d from captain Hawker and other officers of the Mermaid, was read.

Adjourned to nine o'clock to-morrow.

TUESDAY, *Auguſt* 4, 1778.

Mr. John Williams, a delegate from North-Carolina, attended took his ſeat in Congreſs.

A letter of the 28th of July from general Waſhington, by major general Putnam, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Hoſmer, Mr. R. H. Lee and Mr. Scudder.

A letter of the 20th and one of the 22d of July, from the council of Maſſachuſetts-Bay, were read:

Ordered, That the letter of the 22d be referred to the committee on the letter of the 23d of July from J. Wadſworth, commiſſary general.

A letter of July 24th from W. Finnie, deputy quartermaſter general, was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 21ſt of July from colonel D. Maſon, was read:

Ordered, That it be referred to the board of war.

A letter of the 3d from major general Arnold, accompanied with the proceedings of a general court-martial againſt Jacob Rhoads and Jacob Gandy, both ſentenced to ſuffer death, but at the ſame time recommended by the court as proper objects of mercy, was read, ſetting forth that he has ordered the ſentence to be ſuſpended until the pleaſure of Congreſs is known, and begging leave, as many circumſtances appear in favour of the priſoners, to recommend them to Congreſs as proper objects of mercy: whereupon

Reſolved, That a pardon be granted to the ſaid priſoners.

A repreſentation from W. de Galatheau, proprietor and commander of the ſhip Foubonne, was read:

Ordered, That it be referred to the marine committee.

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A petition and memorial from James Oeller and H. Horn was read:

Ordered, That it be referred to a committee of three, and that they report ſpecially thereon;

The members choſen Mr. Drayton, Mr. Hoſmer and Mr. R. H. Lee.

A letter of July 18th from colonel T. Bland, of the light dragoons, reſpecting rank, was read:

Ordered, That it be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. Joſeph Nourſe, paymaſter to the board of war and ordnance, for one million of dollars, to be by him tranſmitted to William Palfrey, eſquire, paymaſter general at Camp, for the uſe of his department, and for which he is to be accountable.

Ordered, That the following warrants iſſue in favour of colonel John Cox, aſſiſtant quartermaſter general, for the uſe of the quartermaſter general's department, amounting to the ſum of two millions of dollars, to be charged to major general Greene, quartermaſter general, viz.

One on the treaſurer for the ſum of one million five hundred thouſand dollars:

One on Derick Tenbroek, commiſſioner of the continental loan-office in the ſtate of New-York, for one hundred thouſand dollars;

One on John Lawrence, eſquire, commiſſioner of the continental loan-office in the ſtate of Connecticut, for one hundred and fifty thouſand dollars;

One on Joſeph Clarke, eſquire, commiſſioner of the continental loan-office in the ſtate of Rhode-Iſland, for one hundred thouſand dollars; and

One on Nathaniel Appleton, eſquire, commiſſioner of the continental loan-office in the ſtate of Maſachuſetts-Bay, for one hundred and fifty thouſand dollars.

Ordered, That the committee on the treaſury lay before Congreſs an account of the ſums of money granted to the preſent quartermaſter general for the uſe of his department, and of the ſums granted to the preſent commiſſary general of purchaſes, to the commiſſary general of military ſtores, and to the cloathier general, for the uſe of their reſpective departments.

The

The committee on the treaſury brought in another report; whereupon

Ordered, That a warrant iſſue on the treaſurer for one thouſand ſeven hundred and fifty-nine dollars and 15-90ths, in favour of the committee of commerce, to enable them to pay James Warren, eſquire, of Boſton, his account of freight and charges on ſundry merchandize belonging to the United States, agreeably to his account rendered them, dated the 16th of July laſt; the ſaid committee to be accountable:

That a warrant iſſue on the treaſurer for one hundred thouſand dollars, in favour of Jonathan Potts, eſquire, deputy director general of the middle diſtrict, for the uſe of his department; he to be accountable.

On motion,

Ordered, That the commiſſary general of priſoners do from time to time, on the exchange of priſoners in the poſſeſſion of the enemy, take proper care of thoſe who ſhall appear to be in ſuch ill ſtate of health as to be unable to travel, either by ſending them to a public hoſpital, or, when that cannot be readily effected, by appointing proper perſons to take care of them on the eaſieſt terms practicable; and that thoſe who are able to travel be furniſhed with orders on the different commiſſaries of iſſues on their way for ſuch a number of rations as may be neceſſary for their ſupport to their reſpective places of abode; alſo that the commiſſary of priſoners do keep exact accounts of the expences attending thoſe that belong to the different ſtates, and are not in the continental ſervice.

The marine committee, to whom was referred the petition of William Storey, clerk to the navy board of the eaſtern diſtrict, report as their opinion, that it is not expedient at this time to raiſe ſalaries, when meaſures are about to be taken by Congreſs for the appreciation of the currency; but in conſideration of the great and conſtant buſineſs in which the above petitioner is engaged, and the expenſive living for the paſt and at the preſent time, the committee think a compenſation of five hundred dollars, for his extra ſervices and expences ſince his appointment, ſhould be allowed him.

The committee farther report, that as the commiſſioners of the navy board in the eaſtern diſtrict are neceſſarily obliged, for the right diſcharge of their duty, frequent-

ly

ly to visit the different parts of their extensive district, they be allowed three hundred and sixty-five dollars each for their travelling expences the year past.

Resolved, That Congress agree to the said report.

Congress resumed the consideration of the letter of the 2d from captain Hawker and the other officers of the Mermaid, and after debate,

Resolved, That the farther consideration thereof be postponed.

Resolved, That the execution of the resolution of yesterday, relative to the arrest of colonel Benjamin Flower, commissary general of military stores, be committed to major general Arnold; and that the secretary transmit to the general a copy of the said resolution.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *August* 5, 1778.

A memorial from Samuel H. Sullivan, deputy quartermaster under general Mifflin, late quartermaster general, was read:

Ordered, That it be referred to the board of war.

Brigadier Maxwell having recommended the reverend Mr. Andrew Hunter to be appointed chaplain to his brigade,

Resolved, That the said reverend Andrew Hunter be and he is hereby appointed chaplain to the brigade commanded by brigadier Maxwell.

A motion was made that the pay of the reverend Mr. Hunter commence from the date of the resolution for appointing brigade chaplains;

Question put,

Passed in the negative.

According to order the committee on the treasury laid before Congress an account of the sums of money granted to the quartermaster general, to the commissary general of purchases, to the commissary general of military stores, and to the cloathier general, severally, for the use of their respective departments.

The proceedings of a court-martial on the trial of captain Manly, late of the continental ship Hancock, and the proceedings of a court-martial on the trial of Thomas Thompson, late captain and commander of the ship Raleigh, in the service of the United States, were laid before Congress:

Ordered, That the proceedings on the trial of captain Manly be returned to the marine committee, to be filed among

among their papers; and that the proceedings on the trial of captain Thompſon lie on the table.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for ſix thouſand dollars, to anſwer the draughts of the board for the uſe of the baking department; the ſaid Joſeph Nourſe to be accountable.

Ordered, That a warrant iſſue on the treaſurer in favour of the ſaid Joſeph Nourſe, for three hundred dollars, to reimburſe him a like ſum advanced to Cornelius Sweers, deputy commiſſary of military ſtores, who is to be accountable:

That another warrant iſſue, on the application of the board of war, in favour of the ſaid Joſeph Nourſe, for ſix thouſand dollars, to be by him paid over to colonel John Beatty, commiſſary general of priſoners, for the uſe of his department, who is to be accountable.

Congreſs reſumed the conſideration of the report of the board of treaſury, dated July 22d; whereupon

Ordered, That a warrant iſſue on the treaſurer of the ſtate of Maſſachuſetts-Bay, for three hundred thouſand dollars, in favour of the preſident and council of the ſaid ſtate, to be paid out of the money aſſeſſed by the ſtate, agreeably to a reſolution of Congreſs of the 22d of November laſt; the ſaid ſtate to be accountable.

A letter of this day from major general Arnold was read, informing, that in purſuance of the reſolution of Congreſs, "he has arreſted colonel Benjamin Flower in "the uſual manner," and deſiring an explanation of the reſolution with reſpect to the ſafe keeping of colonel Flower; whereupon

Reſolved, That the preſident inform major general Arnold that it is the intention of Congreſs that colonel Benjamin Flower ſhould be ſecurely kept in a convenient room under a ſufficient guard.

One of the delegates from New-Jerſey laid before Congreſs an extract of a letter from James Caldwell:

Ordered, That ſo much thereof as relates to priſoners, inhabitants of theſe ſtates taken by the French fleet, be referred to Mr. Duer; and that ſo much as relates to veſſels captured by the ſaid fleet, be referred to the marine committee.

Five

Five o'clock, P. M.

Reſolved, That the door of the Congreſs chamber be open during the audience to be given to the miniſter plenipotentiary of His Moſt Chriſtian Majeſty.

Reſolved, That the delegates of Pennſylvania be requeſted to inform the vice preſident, the ſupreme executive council, and the ſpeaker and aſſembly of the ſaid ſtate, that the miniſter plenipotentiary of His Moſt Chriſtian Majeſty the king of France will receive his audience of Congreſs at 12 o'clock to-morrow, when the doors of the Congreſs chamber will be opened.

Reſolved, That each member of Congreſs may give two tickets for the admittance of other perſons to the audience, and that no perſons, except thoſe ſpecified in the foregoing reſolution, be admitted without ſuch a ticket ſigned by the members appointed to introduce the miniſter to Congreſs.

A letter of this day from colonel Benjamin Flower was read:

Ordered, That it be referred to the committee appointed to report the mode of trying Cornelius Sweers.

Adjourned to nine o'clock to-morrow.

THURSDAY, *Auguſt* 6, 1778.

A letter of this day from Cornelius Sweers was read:

Ordered, That it be referred to the committee appointed to report the mode of trying Cornelius Sweers; and that the committee take the examination, upon oath, of Cornelius Sweers, deputy commiſſary of military ſtores, touching his accuſation of colonel B. Flower, commiſſary general of military ſtores; and that the committee be authorized to ſend for perſons and papers, which they may deem proper for the better proſecution of the buſineſs, and to ſeize and keep ſuch papers of the ſaid Flower and Sweers.

According to order the honourable ſieur Gerard was introduced to an audience by the two members for that purpoſe appointed, and being ſeated in his chair, his ſecretary delivered to the preſident a letter from His Moſt Chriſtian Majeſty, directed

"A nos tres chers grands amies et allies les preſident et membres du Congres general des Etats Unis;

And in the words following—

"Tres

" Tres chers, grands amies et allies,

" LES traitès, que nous avons ſignès, avee vous, en conſequence des propoſitions, que vos deputes nous ont faites de votre part, vous ſont un garant aſſurè de notre affection pour les Etats Unis en general et pour chacun d'eux en particulier, ainſi que de l'intereſt que nous prenons et que nous prendrons conſtament a leurs bonheurs et a leur proſperitè. C'eſt pour vous en convaincre d'une maniere plus particulier, que nous avons nommè le ſieur Gerard, ſecretaire de notre conſeil d'etat pour reſider aupres de vous en qualitè de notre miniſtre plenipotentiaire. Il connoit d'autant mieux les ſentimens, que nous vous portons, et il eſt d'autant plus en etat de vous en rendre temoignage qu'il a ètè chargè de notre part de negocier, avec vos deputès, et qu'il a ſignè avec eux les traitès, qui cimentent notre union. Nous vous prions d'ajouter foi entiere atout ce qu'il vous dira de notre part, principalement lorſqu'il vous aſſurera de notre affection et de notre conſtante amitiè pour vous. Sur ce nous prions Dieu, quil vous ait, Tres, chers, grands amis et allies, en ſa ſainte et digne gard.

" Ecrit a Verſailles, le 28 Mars, 1778. Votre bon ami et allie,

" LOUIS.

" GRAVIER DE VERGENNES."

[*TRANSLATION.*]

(Superſcription.)

" To our very dear great friends and allies, the preſident and members of the general Congreſs of the United States of North-America.

" Very dear great friends and allies,

" THE treaties which we have ſigned with you, in conſequence of the propoſals your commiſſioners made to us in your behalf, are a certain aſſurance of our affection for the United States in general, and for each of them in particular, as well of the intereſt we take and conſtantly ſhall take in their happineſs and proſperity. It is to convince you more particularly of this that we have nominated the ſieur Gerard, ſecretary of our council of ſtate, to reſide among you in the quality of miniſter plenipotentiary. He is the better acquainted with our ſentiments towards you, and the more capable of teſtifying the ſame to you, as he was entruſted on our part to negociate

ciate with your commiſſioners and ſigned with them the treaties which cement our union. We pray you to give full credit to all he ſhall communicate to you from us, more eſpecially when he ſhall aſſure you of our affection and conſtant friendſhip for you. We pray God, very dear great friends and allies, to have you in his holy keeping. Verſailles, 28th March, 1778.

Your good friend and ally,

(Signed,) LOUIS.
(Underſigned,) GRAVIER DE VERGENNES."

The miniſter was then announced to the houſe: whereupon he aroſe and addreſſed Congreſs in a ſpeech, which when he had finiſhed, his ſecretary delivered in writing to the preſident, and is as follows:

" Meſſieurs,

" LES liaiſons, que le roi mon maitre a formès avec les Etats-Unis de l'Amerique lui ſont ſi agreeables; qu'il n'a pas voulu differer de m'envoyer reſider aupres de vous pour les cimenter. Sa Majeſte apprendra avec ſatisfaction que les ſentimens, qui ſe ſont manifeſtès a cette occaſion, juſtifient la confiance que lui avoient inſpirè le zele et le charactere des deputes des Etats-Unis en France; la ſageſſe et la fermetè qui ont dirigè vos reſolutions ainſi que la conſtance et le courage, que les peuples ont fait eclater. Vous ſavez, meſſieurs, que cette confiance a fait la baſe du plan vrayment amical et deſintereſſè ſur le quel Sa Majeſte a traitè avec les Etats-Unis.

" Il n'a pas dependu d'elle, que ſes engagemens n'aſſuraſſent votre independance et votre repos ſans effuſion ulterieur de ſang et ſans aggraver les maux de l'humanitè, dont tout ſon ambition eſt d'aſſurer le bonheur; mais les diſpoſitions et les reſolutions hoſtiles de l'ennemie commun ayant donnè a des engagemens purement eventuels une force actuelle, poſitive, permanente et indiſſoluble, le Roi mon maitre a penſè que les deux allies ne doivent plus ſ'occuper que du moyens de les remplir de la maniere la plus utile a la cauſe commune, et la plus efficace pour parvenir a la paix, qui eſt l'object d'alliance. C'eſt d'apres ce principe, que Sa Majeſtè ſ'eſt hatèe de vous envoyer un ſecours, pouiſſant: vous ne le devez, meſſieurs, qu'a ſon amitie, a l'intereſt ſincere qu'elle prend aux avantages des Etats-Unis, et au

deſir

desir qu'elle a de concourir efficacement a affirmir votre repos et votre prosperitè sur des baſes honorables et solids elle espere d'alleurs, que les principes adoptès par les governemens contribueront a etendre les liaisons, que l'interet mutuel des peuples respectifs avoit deja commencè a etablir entre eux. La principal point de mes instructions est de faire marcher sur la meme ligne les interets de la France et ceux des Etats-Unis. Je me flatte, messieurs, que ma conduite passè dans les affaires, que les interressent, vous aura deja convaineu, que je n'ai point de desir plus cher que celui d'executer mes instructions de maniere a meriter la confiance du Congres, l'amitie de ses membres et l'estime de tous les citoyens.

"GERARD."

[*TRANSLATION.*]

"Gentlemen,

"The connection formed by the king my maſter with the United States of America is ſo agreeable to him, that he could no longer delay ſending me to reſide among you for the purpoſe of cementing it. It will give his Majeſty great ſatisfaction to learn, that the ſentiments which have ſhone forth on this occaſion juſtify that confidence with which he hath been inſpired by the zeal and character of the commiſſioners of the United States in France, the wiſdom and fortitude which have directed the reſolutions of Congreſs, and the courage and perſeverance of the people they repreſent; a confidence which you know, gentlemen, has been the baſis of that truly amicable and diſintereſted ſyſtem, on which he hath treated with the United States.

It is not his majeſty's fault that the engagements he hath entered into did not eſtabliſh your independence and repoſe, without the further effuſion of blood and without aggravating the calamities of mankind, whoſe happineſs it is his higheſt ambition to promote and ſecure. But ſince the hoſtile meaſures and deſigns of the common enemy have given to engagements, purely eventual, an immediate, poſitive, permanent and indiſſoluble force, it is the opinion of the king my maſter, that the allies ſhould turn their whole attention to fulfil thoſe engagements in the manner moſt uſeful to the common cauſe and beſt calculated to obtain that peace which is the object of the alliance.

It

It is upon this principle, gentlemen, his majeſty hath haſtened to ſend you a powerful aſſiſtance, which you owe only to his friendſhip, to the ſincere regard he has for every thing which relates to the advantage of the United States, and the deſire of contributing with efficacy to eſtabliſh your repoſe and proſperity upon an honourable and ſolid foundation. And further, it is his expectation that the principles which may be adopted by the reſpective governments will tend to ſtrengthen thoſe bonds of union, which have originated in the mutual intereſt of the two nations.

The principal object of my inſtructions is to connect the intereſts of France with thoſe of the United States. I flatter myſelf, gentlemen, that my paſt conduct, in the affairs which concern them, hath already convinced you of the determination I feel to endeavour to obey my inſtructions in ſuch manner as to deſerve the confidence of Congreſs, the friendſhip of its members, and the eſteem of the citizens of America.

(Signed,)

GERARD."

To which the preſident returned the following anſwer.

SIR,

THE Treaties between His Moſt Chriſtian Majeſty and the United States of America ſo fully demonſtrate his wiſdom and magnanimity as to command the reverence of all nations. The virtuous citizens of America in particular can never forget his beneficent attention to their violated rights, nor ceaſe to acknowledge the hand of a gracious Providence in raiſing them up ſo powerful and illuſtrious a friend. It is the hope and opinion of Congreſs that the confidence his majeſty repoſes in the firmneſs of theſe ſtates will receive additional ſtrength from every day's experience.

This aſſembly are convinced, Sir, that had it reſted ſolely with the Moſt Chriſtian King, not only the independence of theſe ſtates would have been univerſally acknowledged, but their tranquility fully eſtabliſhed. We lament that luſt of domination which gave birth to the preſent war, and hath prolonged and extended the miſeries of mankind. We ardently wiſh to ſheathe the

ſword

ſword and ſpare the further effuſion of blood; but we are determined, by every means in our power, to fulfil thoſe eventual engagements which have acquired poſitive and permanent force from the hoſtile deſigns and meaſures of the common enemy.

Congreſs have reaſon to believe that the aſſiſtance ſo wiſely and generouſly ſent will bring Great-Britain to a ſenſe of juſtice and moderation, promote the intereſts of France and America, and ſecure peace and tranquility on the moſt firm and honourable foundation. Neither can it be doubted that thoſe who adminiſter the powers of government, within the ſeveral ſtates of this union, will cement that connection with the ſubjects of France, the beneficent effects of which have already been ſo ſenſibly felt.

Sir,

From the experience we have had of your exertions to promote the true intereſts of our country as well as your own, it is with the higheſt ſatisfaction Congreſs receive as the firſt miniſter from His Moſt Chriſtian Majeſty a gentleman whoſe paſt conduct affords a happy preſage, that he will merit the confidence of this body, the friendſhip of its members, and the eſteem of the citizens of America.

The ſecretary of Congreſs delivered to the miniſter a copy of the foregoing reply, dated "In Congreſs, Auguſt 6, 1778," and ſigned "Henry Laurens, preſident."

Whereupon the miniſter withdrew, and was conducted home in the manner in which he was brought to the houſe.

Adjourned to nine o'clock to-morrow.

FRIDAY, *Auguſt* 7, 1778.

A letter of the 1ſt from Mr. M. Clarkſon, one of the auditors of accounts in the main army, was read, informing "that when he was appointed to that office he was poſſeſſed of the commiſſion of marſhal of the court of admiralty for the ſtate of Pennſylvania, which he ſtill holds, and repreſenting "that his duty in that office now claims his attention, and that therefore he is conſtrained to tender a reſignation of his office as auditor;" and begging "Congreſs will be pleaſed to accept it:" whereupon

Reſolved, That his reſignation be accepted.

A report

A report from the board of war, to whom the petition of captain Stoddard, of the 2d regiment of light dragoons, was referred, being read,

Ordered that it lie on the table.

The committee to whom was referred the letter of the 27th of November, 1777, from major general Heath, to the board of treaſury, report

That they have carefully examined the files and journals of Congreſs, ſo far as they reſpect the defence of the ſtate of Rhode-Iſland and Providence Plantations, and the riſe of the expedition againſt the iſland of Rhode-Iſland, and find: that at a meeting of the committees appointed by the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, and Connecticut, convened at Providence, on the 25th day of December, 1776, it was among other things reſolved "That it is the opi-" nion of this committee, that while ſo large a body of " the enemy is in poſſeſſion of Rhode-Iſland, it is neceſ-" ſary to keep ſix thouſand men in the ſtate of Rhode-Iſ-" land, to oppoſe them." That the proceedings of the ſaid committees were laid before Congreſs, who, upon the 15th day of February, 1777, reſolved, "That, conſider-" ing the ſituation of the New-England ſtates, Congreſs " approve of the meaſures adopted and recommended by " the committees from the four New-England ſtates for " the defence of the ſtate of Rhode-Iſland." That on the 16th day of April, 1777, Congreſs reſolved, "That it " be recommended to the General Aſſemly of the ſtate " of Rhode-Iſland and Providence Plantations to collect, " with the utmoſt diſpatch, the whole force thereof, and " therewith, aided by ſuch parts of the militia of Maſ-" ſachuſetts-Bay and Connecticut as are contiguous to " the ſaid ſtate, to attack and deſtroy the enemy on the " iſland of Rhode-Iſland aforeſaid: that it be and here-" by it is recommended to the ſtates of Maſſachuſetts-Bay " and Connecticut to give every aſſiſtance in their pow-" er, by calling out the militia of their reſpective towns " which lie next to the ſtate of Rhode-Iſland, and to " promote and execute this important ſervice: that ge-" neral Waſhington be directed to appoint ſuch general " officers as he ſhall judge proper to carry the foregoing " reſolution into effect. Ordered, That a copy of the " foregoing reſolution be ſent by expreſs to general " Waſhington and the three New-England ſtates."

That

at a meeting of committees from the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and New-York, held at Springfield, 30th of July, 1777, it was among other things reſolved, "that the ſtate of Rhode-Iſland "be requeſted to fill up their two battalions as ſoon as "may be, for the defence of that ſtate: that the ſtate "of Maſſachuſetts-Bay be deſired to haſten on the two "battalions they have ordered for that purpoſe: that "the ſtate of Connecticut be deſired to raiſe and equip "one battalion of ſeven hundred and twenty-eight men "with all ſpeed, and direct them to the above ſervice; "and that the ſtate of New-Hampſhire be deſired to "raiſe and equip three hundred men, with all ſpeed, "and direct them to the above purpoſe." That on the 21ſt of Auguſt, 1777, Congreſs reſolved, "That fire ſhips "ſhould be prepared to attack and deſtroy the Britiſh "ſhips in the rivers and bays of the ſtate of Rhode-Iſland: "That general Spencer be made acquainted with the "foregoing reſolution, and that he be inſtructed, as far "as poſſible, to favour the ſaid deſigns by ſuch attacks "and feints as he may judge proper, with the troops "and boats under his command." That on the 13th of January, 1778, Congreſs reſolved, "That it be earneſtly recommended to the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Connecticut immediately to furniſh and keep up conſtantly in the ſtate "of Rhode-Iſland and Providence Plantations, for the "defence of the ſaid ſtate, their ſeveral quotas of troops "as adjuſted by the reſolution of a committee from the "ſaid ſtates and the ſtate of New-York, which met at "Springfield, the 30th day of July laſt." That Congreſs on the 14th of January, 1778, reſolved, "That Ebenezer Hancock, eſquire, deputy paymaſter general of the "eaſtern diſtrict, be directed forthwith to appoint an "aſſiſtant paymaſter, conſtantly to attend and pay the "army ſtationed in or near Providence for the defence "of the ſtate of Rhode Iſland and Providence Plantations, "applying to Congreſs from time to time for the neceſſary ſupplies of money for the ſame; and that the commanding officer in the ſaid ſtate be fully impowered to "draw on the ſaid aſſiſtant paymaſter for the neceſſary "ſupplies of the army aforeſaid." That on the 17th of July, 1777, Congreſs reſolved, "That general Spencer "be informed, in anſwer to his letter of the 20th May,

"that

" that Congreſs confirm the appointment made by him of " William Peck, eſquire, deputy adjutant general to the " militia and the ſtate troops of Rhode-Iſland, kept in " continental pay; that for money to pay the ſaid troops " he is to make application to Ebenezer Hancock, eſquire, " at Boſton, deputy paymaſter general of the troops in " the eaſtern department; and that as the quartermaſter " general has the appointment of all his deputies, appli- " cation is to be made to them for the appointment of a " deputy quartermaſter general." Whereupon

Reſolved, That the expence of the late intended expedition againſt the Iſland of Rhode-Iſland be borne by the continent.

A petition from George Spangler was read:

Ordered to lie on the table.

Ordered, That Mr. Roberdeau have leave of abſence.

The committee to whom was referred the memorial of colonel Knoblaugh brought in a report, which was read:

Ordered, to lie on the table.

Adjourned to nine o' clock to-morrow.

SATURDAY, *Auguſt* 8, 1778.

A letter from T. Pickering and one from major general Arnold, both of this date, were read.

A letter from B. Randolph, appointed to ſuperintend the making of paper for loan-office certificates and bills of exchange, was read, informing that his engagements in New-Jerſey will prevent his attendance on the buſineſs to which he was appointed in leſs than two weeks from this time, and therefore praying, if the buſineſs require immediate attendance, that Congreſs will pleaſe to appoint ſome other perſon for the preſent.

The board of treaſury having recommended ſundry perſons for ſigners of the continental currency, Congreſs proceeded to the election, and the ballots being taken, the following gentlemen were choſen, viz. Samuel Nichols, colonel Patton, colonel Joſeph Copperthwait, Joſeph H. Ellis, Richard Humphreys, James Loughead, Jedediah Snowden, Joſeph Walter, Joſeph Bullock, William Thorne, Thomas Leiper, John Lardner, Alexander Neſbit, Frederick Phyle, John Young, junior, William Gray, Robert Caither, colonel Lewis Farmer, John Keppele, William Adcock, Joſeph Pennel, Joſeph Hubley, John Meaſe, Peter Stretch, Nathaniel Donald, William Hardy, Joſeph Snowden, James Wilſon, William Sheaf and Edward Fox.

The

The board of treaſury having alſo recommended a perſon to ſuperintend the making of paper for loan-office certificates and bills of exchange, Congreſs proceeded to the election, and the ballots being taken,

Mr. George Bright was elected.

Whereas, in purſuance of the recommendation of Congreſs of March 2d, a volunteer corps of cavalry from the ſtate of Virginia, under the command of the honourable general Nelſon, are now in this city on their way to the army under the command of general Waſhington: and whereas the removal of the enemy from this ſtate renders the employment of this corps at preſent unneceſſary;

Reſolved, That it be recommended to the ſaid corps to return.

Reſolved, That the thanks of Congreſs be given to the honourable general Nelſon and the officers and gentlemen under his command, for their brave, generous and patriotic efforts in the cauſe of their country.

A motion was made to add as follows "and that it be warmly recommended to the inhabitants of the ſeveral ſtates to imitate, in public emergencies, the virtuous conduct of the volunteers from Virginia:

The previous queſtion being called for, and the yeas and nays required by Mr. Drayton,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Dana,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Hoſmer,	*ay*	*ay*
	Mr. Sherman,	*ay*	
	Mr. A. Adams,	*ay*	
New-York,	Mr. Lewis,	*no*	*no*
	Mr. Duer,	*no*	
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Forbes,	*ay*	
Virginia,	Mr. R. H. Lee,	*ay*	*ay*
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	
	Mr. Harvie,	*ay*	

North-Carolina,	Mr. Penn,	*no*	*divided*
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*no*	
	Mr. Heyward,	*no*	
Georgia,	Mr. Telfair,	*ay*	*ay*

So it paſſed in the affirmative and the main queſtion was ſet aſide.

Ordered, That the letter of the 23d of June laſt, from the council of Maſſachuſetts Bay, ſo far as relates to their ſtate's cloathing their troops, be referred to the board of war, and that the board take ſuch meaſures and give ſuch orders thereon as they judge proper.

Ordered, That the proceedings of Congreſs on Thurſday laſt, during the audience of the ſieur Gerard, miniſter plenipotentiary from His Moſt Chriſtian Majeſty, be forthwith publiſhed, as entered on the journals.

Adjourned to nine o'clock on Monday.

MONDAY, *Auguſt* 10, 1778.

Mr. Harnett, a delegate from North-Carolina, attended and took his ſeat in Congreſs.

A letter of the 3d and 4th from general Waſhington, at White Plains, was read, with ſundry papers incloſed:

Ordered, That ſo much of the ſaid letter as relates to the artillery, with brigadier Knoxe's letter and obſervations, be referred to the board of war:

That ſo much of the ſaid letter, as relates to the inliſting the draughts who are willing to enter into the ſervice for three years or during the war, be alſo referred to the board of war; and that they be directed to prepare a reſolution for that purpoſe and report the ſame as ſoon as poſſible:

That ſo much of the ſaid letter as relates to the cloathier general's department be referred to a committee of three;

The members choſen Mr. S. Adams, Mr. Sherman and Mr. Scudder.

Reſolved, That a commander of the horſe be appointed to-morrow.

A letter of this day from major Lee was read:

Ordered, That it be referred to the board of treaſury.

A letter of July 27th, from major general Greene, with ſundry papers incloſed, was read.

A

A memorial from colonel R. Lawſon, of the 4th Virginia regiment, was read:

Ordered, That it be referred to the board of war.

A letter of the 7th from general Waſhington, incloſing a copy of a letter of the 4th from colonel Laurens, at Providence, was read.

A letter of the 3d from general Waſhington to the board of war, with ſundry papers incloſed, was laid before Congreſs and read:

Ordered, That it be returned to the board of war, and that they be directed to report thereon.

A letter of July 28th from J. Warren, eſquire, one of the navy board in the eaſtern department, and one of Auguſt 5th from governor Johnſon of Maryland, with ſundry papers incloſed, were read:

Ordered, That they be referred to the marine committee.

A letter of the 5th from R. H. Harriſon, and one of the 1ſt from major general Sullivan, at Providence, were read.

A letter of the 7th from colonel B. Flower, under arreſt, was read, informing of his ill ſtate of health, and requeſting a relaxation of his confinement, and accompanied with a certificate from doctor Clarkſon, confirming the account of his infirm condition; whereupon

Reſolved, That major general Arnold be directed to permit colonel B. Flower to go abroad for the benefit of the air at ſuch hours as he ſhall think moſt conducive to his health, under the cuſtody of one or more vigilant and diſcreet officer or officers.

A letter of the 7th from George Partridge, eſquire, to Mr. Dana, was laid before Congreſs and read:

Ordered, That it be referred to the board of war.

Ordered, That the letters lately received by the committee of commerce from New Orleans be referred to the board of war.

A motion was made to agree to a propoſition for exchanging governor Franklin for governor M'Kinly:

Ordered, That the conſideration thereof be poſtponed.

Reſolved, That two members be added to the committee of arrangement, and that the commander in chief, with the advice and aſſiſtance of the ſaid committee or any two or more of them, be and he is hereby impowered to proceed in arranging the army according to the reſolutions of Congreſs;

The

The members choſen Mr. Sherman and Mr. Baniſter.

The committee on the poſt-office brought in a report; whereupon

Reſolved, That fourteen thouſand and forty one and one half dollars be advanced to Richard Bache, eſquire, poſtmaſter general, for the uſe of his department; the ſaid R. Bache to be accountable.

A letter of this day from general Mifflin was read:

Ordered to lie on the table.

A letter of the 7th from general Waſhington was read.

The committee of commerce brought in a report; whereupon

Ordered, That the bill drawn on the committee of commerce by Abraham Livingſton, in favour of Samuel Curſon, for ten thouſand dollars, dated Charleſtown, South-Carolina, be paid.

Ordered, That the remainder of the report, together with the papers and accounts from Raymond Demere, deputy cloathier in Georgia, be referred to the committee on that part of general Waſhington's letter relative to the cloathier general's department.

The board of war, to whom was referred the memorial of colonel Lawſon brought in a report:

Ordered, That it be referred to the board of treaſury.

Adjourned to nine o'clock to-morrow.

TUESDAY, *Auguſt* 11, 1778.

A DECLARATION.

Whereas George Johnſtone, eſquire, one of the Britiſh commiſſioners for reſtoring peace in America, on the eleventh of April laſt did write and ſend a letter to Joſeph Reed, eſquire, a member of Congreſs, containing this paragraph, viz. "The man who can be inſtrumental in "bringing us all to act once more in harmony, and to "unite together the various powers which this conteſt "has drawn forth, will deſerve more from the King and "the people, from patriotiſm, humanity and all the tender ties that are affected by the quarrel and reconciliation, than ever was yet beſtowed on human kind." And whereas the ſaid George Johnſton, eſquire, on the ſixteenth day of June laſt, wrote and ſent a letter to Robert Morris, eſquire, another member of Congreſs, containing this paragraph, viz. "I believe the men who

"have

" have conducted the affairs of America uncapable of be-
" ing influenced by improper motives; but in all ſuch
" tranſactions there is riſk, and I think that whoever ven-
" tures ſhould be ſecured, at the ſame time, that honor
" and emolument ſhould naturally follow the fortune of
" thoſe who have ſteered the veſſel in the ſtorm and
" brought her ſafely to port. I think Waſhington and
" the preſident have a right to every favour that grateful
" nations can beſtow, if they could once more unite our
" intereſt and ſpare the miſeries and devaſtations of
" war." Which letters were laid before Congreſs. And whereas the ſaid Joſeph Reed, eſquire, hath in his place in Congreſs declared, that " on Sunday the 21ſt of June
" laſt, a few days after the evacuation of the city of Phi-
" ladelphia by the Britiſh troops, he received a written
" meſſage from a married lady of character, having con-
" nection with the Britiſh army, expreſſing a deſire to ſee
" him on buſineſs, which could not be committed to writ-
" ing: that, attending the lady agreeable to her appoint-
" ment in the evening; after ſome previous converſati-
" on reſpecting her particular connections, the buſineſs
" and characters of the Britiſh commiſſioners, and par-
" ticularly of governor Johnſtone (meaning the ſaid
" George Johnſtone, eſquire,) were the ſubjects of gene-
" ral converſation, which being more confined the lady
" enlarged upon the great talents and amiable qualities of
" that gentleman, and added, that in ſeveral converſati-
" ons with her, he (governor Johnſtone) had expreſſed
" the moſt favourable ſentiments of him (Mr. Reed,) and
" that it was particularly wiſhed to engage his (Mr.
" Reed's) intereſt to promote the objects of their com-
" miſſion, viz. a re-union between the two countries, if
" conſiſtent with his principles and judgment; and that
" in ſuch caſe it could not be deemed unbecoming or im-
" proper in government (meaning the Britiſh,) to take
" a favourable notice of ſuch conduct; and that in this
" inſtance he (Mr. Reed) might have ten thouſand pounds
" ſterling, and any office in the Colonies (meaning theſe
" United States) in his Majeſty's gift (meaning the gift
" of his Britannic Majeſty,) to which, finding an anſwer
was expected, he (Mr. Reed) replied, " He was not worth
" purchaſing, but ſuch as he was the King of Great Bri-
" tain was not rich enough to do it." And whereas the ſaid paragraphs, written and ſent as aforeſaid by George Johnſtone,

Johnſtone, eſquire, and the ſaid declaration made by Joſeph Reed, eſquire, call loudly upon Congreſs to expreſs their ſentiments upon them.

Therefore

Reſolved, That the contents of the ſaid paragraphs, and the particulars in the ſaid declaration, in the opinion of Congreſs, cannot but be conſidered as direct attempts to corrupt and bribe the Congreſs of the United States of America.

Reſolved, That as Congreſs feel, ſo they ought to demonſtrate, the higheſt and moſt pointed indignation againſt ſuch daring and atrocious attempts to corrupt their integrity.

Reſolved, That it is incompatible with the honour of Congreſs to hold any manner of correſpondence or intercourſe with the ſaid George Johnſtone, eſquire, eſpecially to negociate with him upon affairs in which the cauſe of liberty is intereſted.

A motion was made to add

"And whereas the conduct of the ſaid George Johnſtone, eſquire, in the aforeſaid particulars, unavoidably affects his colleagues in commiſſion, and unfavourably impreſſes the mind, ſo that full confidence cannot be placed in them: therefore

Reſolved, That Congreſs will not in any degree negociate with the preſent Britiſh commiſſioners in America for reſtoring peace."

On which the yeas and nays being required by Mr. Chaſe,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts Bay,	Mr. Gerry,	*no*	
	Mr. Dana,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*no*	
	Mr. A. Adams,	*no*	*no*
New-York,	Mr. G. Morris,	*no*	*
New-Jerſey,	Mr. Witherſpoon,	*no*	
	Mr. Scudder,	*ay*	*no*
	Mr. Boudinot,	*no*	
Pennſylvania,	Mr. Roberdeau,	*no*	
	Mr. J. Smith, *excuſed from voting he not being preſent at the debate*		*no*

Mary-

Maryland,	Mr. Chaſe,	no	no
	Mr. Plater,	no	
	Mr. Forbes,	no	
Virginia,	Mr. R. H. Lee,	no	no
	Mr. T. Adams,	no	
	Mr. Harvie,	no	
North-Carolina,	Mr. Harnett,	no	divided
	Mr. Williams,	ay	
South-Carolina,	Mr. Laurens,	ay	ay
	Mr. Drayton,	ay	
	Mr. Matthews,	ay	
	Mr. Heyward,	no	
Georgia,	Mr. Telfair,	ay	ay

So it paſſed in the negative.

It was then moved and agreed to add to the foregoing reſolutions as follows:

And for the propriety of ſuch conduct we make and publiſh to the world this our declaration.

Done in Congreſs at Philadelphia, this 11th day of Auguſt, in the year of our Lord one thouſand ſeven hundred and ſeventy-eight, and in the third year of the independence of America.

A motion was made to re-conſider the reſolutions paſſed;

On which the yeas and nays being required by Mr. Morris,

New-Hampſhire,	Mr. Bartlett,	no	no
Maſſachuſetts-Bay,	Mr. Gerry,	no	ay
	Mr. Dana,	ay	
	Mr. Lovell,	ay	
	Mr. Holten,	ay	
Rhode-Iſland,	Mr. Marchant,	no	no
Connecticut,	Mr. Sherman,	no	no
	Mr. A. Adams,	no	
New-York,	Mr. G. Morris,	ay	*
New-Jerſey,	Mr. Witherſpoon,	no	no
	Mr. Scudder,	no	
	Mr. Boudinot,	no	
Pennſylvania,	Mr. Roberdeau,	ay	ay
	Mr. James Smith,	ay	
Maryland,	Mr. Chaſe,	ay	ay
	Mr. Plater,	ay	
	Mr. Forbes,	ay	
Virginia,	Mr. R. H. Lee,	no	no
	Mr. T. Adams,	ay	
	Mr. Harvie,	no	North-

North-Carolina,	Mr. Harnett,	*ay*	*divided*
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*no*	
	Mr. Heyward,	*no*	
Georgia,	Mr. Telfair,	*no*	*no*

So it paſſed in the negative.

Ordered, That the declaration, as agreed to, be ſigned by the preſident and publiſhed.

A motion was made, that a copy of the declaration be ſigned by the preſident and ſent by a flag to the commiſſioners of the King of Great-Britain at New-York.

On motion

Reſolved, That the conſideration of that motion be poſtponed.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the delegates of Maſſachuſetts-Bay, for five hundred dollars, to be paid to Mr. F. Dana, on his application for the ſame; the ſaid ſtate to be accountable:

That a warrant iſſue on the treaſurer in favour of colonel Robert Lawſon, late commandant of the 4th Virginia regiment, for the ſum of four hundred and ſixty dollars, to indemnify him for the loſs of a horſe killed under him at the battle of Germantown, and for the loſs of his bridle and ſaddle:

That a warrant iſſue on the treaſurer in favour of doctor Iſaac Foſter, deputy director general of the military hoſpital in the eaſtern department, for one hundred thouſand dollars, for the uſe of his department, and for which he is to be accountable; and that the ſame be paid to John de la Mater, as requeſted by the doctor.

That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, on the application of the ſaid board, for thirty thouſand dollars, to enable colonel Henry Hollingſworth, whom they have employed in purchaſing proviſions, to diſcharge ſome contracts he is engaged in; which is to be charged to the board of war.

Adjourned to nine o'clock to morrow.

WEDNESDAY,

WEDNESDAY, *Auguſt* 12, 1778.

Congreſs reſumed the conſideration of the motion reſpecting the declaration; whereupon

Reſolved, That a copy of the declaration paſſed yeſterday be ſigned by Mr. preſident and ſent by a flag to the commiſſioners of the King of Great-Britain at New-York.

A letter of the 8th from brigadier Maxwell, and one of the 7th from Adam Ferguſon, incloſing a remonſtrance on the ſubject of the detenſion of the troops lately ſerving under lieutenant general Burgoyne, with a requiſition for their immediate releaſe:

Ordered, That the ſame be referred to a committee of five;

The members choſen Mr. G. Morris, Mr. Chaſe, Mr. Drayton, Mr. S. Adams and Mr. Witherſpoon.

A petition from Henry baron Eſſich was read:

Ordered, That it be referred to a committee of three, and that the committee be impowered and directed to enquire into the facts therein ſet forth, and to grant ſuch relief as they may think expedient; and farther, that the ſaid committee be directed to enquire into the ſtate of the legion commanded by count Pulaſki and report thereon;

The members choſen Mr. Penn, Mr. Marchant and Mr. Chaſe.

A letter of the 11th from major general Mifflin was read:

Ordered to lie on the table.

Ordered, That Tueſdays and Thurſdays in every week be ſet apart for regulating the affairs of the treaſury and finances; and that no other buſineſs, excepting the reading and diſpoſing of public letters, be taken up on thoſe days without the unanimous conſent of the houſe, until the buſineſs aforeſaid is gone through and finiſhed.

A motion was made that Congreſs meet twice a day:

Queſtion put,

Paſſed in the negative.

A letter of the 11th from general Nelſon was read:

Ordered, That the vote of thanks to general Nelſon and the officers and gentlemen of the corps of volunteers under his command, together with the foregoing letter, be publiſhed.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, for forty thouſand dollars, in favour of major Lee, for the uſe of the corps of light dragoons under his command; for which he is to be accountable:

That, on the application of the board of war and ordnance, a warrant iſſue on the treaſurer in favour of Mr. Joſeph Nourſe, paymaſter to the ſaid board, for ten thouſand dollars, to be by him tranſmitted to colonel David Kennedy, of Wincheſter in Virginia, to compleat the barracks ordered to be built in the ſaid place; the ſaid David Kennedy to be accountable.

A report from the board of war was read; whereupon

Reſolved, That every officer in the army of the United States, whoſe duty requires his being on horſe-back in time of action, and whoſe horſe ſhall be killed in battle, be allowed a ſum not exceeding five hundred dollars as a compenſation for his horſe ſo killed; this reſolution to have retroſpect as far as the firſt day of May, 1777; and that the quartermaſter general be and is hereby authoriſed to pay the value of ſuch horſes, not exceeding the ſaid ſum, to the reſpective ſufferers on the facts being properly authenticated.

Reſolved, That the expences incurred by colonel John Green, for keeping two horſes during the time his wounds rendered his removal laſt campaign out of New-Jerſey neceſſary, be allowed him, and that the ſame be referred to the commiſſioners of claims for ſettlement.

Congreſs proceeded to the election of an additional number of ſigners of continental bills of credit, and the ballots being taken,

Mr. William Ruſh, Mr. Robert Roberts, and Mr. Gunning Bedford, were elected.

A petition from Patrick M'Mullen was read:

Ordered to lie on the table.

The committee to whom was referred the memorial of colonel Knoblauch, brought in a report, wherein they repreſent, "That having examined his ſeveral commiſſions and recommendations it appears that colonel de Knoblauch is an experienced officer, and hath ſerved in the ſeveral countries mentioned in his memorial; that the ſubjects contained in the ſaid memorial being various ought to be referred to the boards to whom they more particularly belong:" whereupon *Reſolved*,

Resolved, That so much of the memorial as relates to contracts for frigates be referred to the marine committee:

That so much as relates to arms, linen, cloth, &c. be referred to the board of war:

That the propriety of employing colonel Knoblauch be referred to the board of war, to report thereon upon such information as they may now or hereafter receive:

That in the interim colonel Knoblauch be permitted to repair as a volunteer to the American Camp, and that he be allowed the sum of one hundred and twenty-five dollars per month.

Adjourned to nine o'clock to-morrow.

THURSDAY, *August* 13, 1778.

Resolved, That no passes be granted to any person or persons to go into New-York, but by Congress or the commander in chief; and that major general Arnold be directed to recall any pass or passes he may have given to any persons going to New-York from the city of Philadelphia, who have not yet gone under such passes.

The committee to whom was referred the report from the board of treasury of the 15th of April last brought in a report, which was read.

On motion,

Resolved, That Saturday in every week be added to the days already set apart for regulating the business of the treasury and finance.

Ordered, That the report lie on the table for the perusal of the members, to be taken into consideration on Tuesday next.

Resolved, That Saturday next be appointed to take into consideration the state of foreign affairs, and that Mr. S. Deane be requested to attend Congress on that day, to give them information respecting the general state of those affairs and a particular state of their funds and commercial connections in Europe, and especially with monsieur de Beaumarchais.

Ordered, That the committee on foreign affairs lay before Congress, on Friday, all letters and other public papers which they may have received from the commissioners, agents, or other persons who have transacted business for the United States in Europe from the original appoint-

ment

ment of the committee of ſecret correſpondence to this day.

Adjourned to nine o'clock to-morrow.

FRIDAY, *Auguſt* 14, 1778.

A letter of the 9th from general Waſhington was read, incloſing one of the 6th from major general Sullivan.

A letter of Auguſt 1ſt from Mr. Huntington, one of the delegates from Connecticut, at Norwich, directed to the delegates of that ſtate in Congreſs, was laid before Congreſs and read, ſetting forth ſundry evils and abuſes in the hoſpitals in the eaſtern diſtrict; whereupon

Reſolved, That the reſolution of Congreſs of the 9th of June laſt, authorizing the deputy director general of the hoſpital in the eaſtern department, in the abſence of the director general, to ſuperintend the medical affairs of that department, be and it is hereby repealed; and that the ſaid hoſpital for the future be under the ſame regulations as the hoſpitals in the other departments.

Reſolved, That the director general be directed to enquire into the ſtate of the hoſpital in the eaſtern department, and give proper orders for the good government and œconomy thereof, and diſcharge unqualified and ſupernumerary officers, if any there be.

Whereas it is of great conſequence to the general weal that the enemy at New-York ſhould not be ſupplied with proviſions, which may relieve the diſtreſs at preſent prevailing in their army and fleet; and for the more effectual execution of the embargo,

Reſolved, That the vice preſident and ſupreme executive council of the ſtate of Pennſylvania be requeſted to ſtation one of their gallies, under command of a vigilant officer, near the mouth of the Cape May channel, with orders to ſearch all veſſels that may be outward bound, either through Cape May channel or the Delaware; and if any ſhall be found exporting proviſions contrary to the embargo, that they be brought before government, to anſwer for ſuch their miſconduct.

Reſolved, That the governor of New-Jerſey be requeſted to take the moſt effectual meaſures to enforce due obſervance of the embargo, as Congreſs conſider it of the firſt importance to continue the diſtreſs prevailing in the enemy's fleet and army at New-York for proviſions; and becauſe there is reaſon to apprehend that the coaſt trade

with

with provisions may be productive of supply to the enemy either through the vigilance of the cruisers or by ill designing avaritious men.

A petition of John Hart, in behalf of himself and others, respecting the capture of the sloop Peggy, was read:

Ordered, That it be referred to the committee on appeals.

A memorial from Thomas Towson, in behalf of himself and others, was read:

Ordered, That it be referred to a committee of three;

The members chosen Mr. Chase, Mr. Marchant and Mr. Penn.

A petition from Patrick Colvin, at Trenton ferry, was read; whereupon

Resolved, That the quartermaster general be directed, if he has any boats or flats belonging to the public at any of the ferries on the river Delaware unemployed, to lend two of them to Partrick Colvin, to be by him employed at Trenton ferry for the accommodation of the public.

A petition from William Allison, guardian of John Blakely, in behalf of the said John Blakely, was read; whereupon

It was moved that it be commisted:

Question put, passed in the negative.

The commissioners of claims, with the approbation of the auditor general, report

That there is due to Thomas Edison, his pay as clerk in the secretary's office, from the 12th of June to the 12th of August, 1778, inclusive, one hundred and sixty dollars, and for his expences from York-Town to Philadelphia, sixteen dollars, making in the whole one hundred and seventy-six dollars:

That there is due to the reverend Mr. Lotbinier, as chaplain, his pay and subsistance from the 11th of July to the 10th of August, 1778, both days inclusive, sixty dollars:

That there is due to colonel John Greene, for the expences of keeping two horses in the Fall of 1776, when he was wounded in the state of New-York, and which were necessary to carry him to his place of residence in Virginia, two hundred dollars:

Ordered, That the said accounts be paid.

The committee on the treasury brought in a report; whereupon

Ordered,

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. Penn, one of the delegates of the ſtate of North-Carolina, for two thouſand dollars, advanced upon his application; the ſaid ſtate to be accountable.

Congreſs proceeded to the election of an additional number of ſigners of the continental bills of credit, and the ballots being taken, the following gentlemen were choſen, viz.

John Shee, Francis Lewis, junior, William Marſhall, Joſeph Wilſon, James Royſon, James Little, James Rowan and Iſaac All.

The board of war, to whom was referred the memorial of the honourable ſieur Gerard, relative to Mr. William Straker, having made report thereon, and the ſame being read,

Ordered, That the ſaid report and papers referred to, relative to Mr. Straker, be referred to the government of the ſtate of Pennſylvania, to determine whether they will conſider Mr. William Straker, lately made priſoner by the count d'Eſtaing's ſquadron, as a citizen of the ſtate of Pennſylvania; and if the ſaid government ſhall determine to conſider and receive the ſaid Mr. William Straker as a citizen of their ſtate, that they be deſired to tranſmit a certificate of their determination to the ſieur Gerard, miniſter plenipotentiary of His Moſt Chriſtian Majeſty.

The committee to whom were referred the papers relative to Cornelius Sweers and colonel B. Flower brought in a report, which was read: after debate

Ordered, That it be re-committed.

Ordered, That three members be added to the committee;

The members choſen Mr. Marchant, Mr. Harvie and Mr. T. Adams.

The committee on foreign affairs laid before Congreſs ſundry letters and papers which they have received from the commiſſioners, agents and other perſons who have tranſacted public buſineſs in Europe.

Adjourned to nine o'clock to-morrow.

SATURDAY, *Auguſt* 15, 1778.

A motion was made to reſolve, that the members of this houſe keep ſecret from all but the members of this houſe, under like obligations of ſecrecy, ſuch information

on

on as may be derived from an inſpection of the papers of the committee of ſecret correſpondence or from hearing the ſame read :

After debate the previous queſtion was moved, and the yeas and nays required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Hoſmer,	*ay*	
	Mr. A. Adams,	*ay*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
	Mr. Scudder,	*no*	
Pennſylvania,	Mr. R. Morris,	*ay*	*ay*
	Mr. Reed,	*ay*	
	Mr. James Smith,	*no*	
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Forbes,	*ay*	
Virginia,	Mr. R. H. Lee,	*no*	*divided*
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*ay*	
Georgia,	Mr. Telfair,	*ay*	*ay*
	Mr. Langworthy,	*ay*	

So it was reſolved in the affirmative, and the main queſtion ſet aſide.

It was then moved to reſolve, That no matter contained in the letters laid before Congreſs by the committee for foreign affairs be communicated to any perſons out of Congreſs without permiſſion of the houſe :

After

After debate the previous queſtion was moved, and the yeas and nays being required by Mr. Drayton,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Hoſmer,	*no*	
	Mr. A. Adams,	*no*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
	Mr. Scudder,	*no*	
Pennſylvania,	Mr. R. Morris,	*ay*	*ay*
	Mr. Reed,	*ay*	
	Mr. J. Smith,	*no*	
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Forbes,	*ay*	
Virginia,	Mr. R. H. Lee,	*no*	*divided*
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*excuſed*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*ay*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Telfair,	*ay*	*ay*
	Mr. Langworthy,	*ay*	

So it was reſolved in the affirmative, and the main queſtion was ſet aſide.

Mr. M'Kean, a delegate from Delaware, attended and reſumed his ſeat in Congreſs.

A motion was then made, That the contents of the letters laid upon the table by the committee of foreign affairs be kept ſecret till the enquiry into the ſtate of our foreign affairs and the conduct of our commiſſioners be finiſhed:

An amendment was moved, to add as follows, Excepting ſuch parts thereof as, having been already communicated

cated to the houſe without an injunction of ſecrecy, or having been read by private members or others, may have been divulged.

Queſtion being put, and the yeas and nays required by Mr. Drayton,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
	Mr. Sherman,	*no*	
Connecticut,	Mr. Hoſmer,	*no*	*no*
	Mr. A. Adams,	*no*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
	Mr. Scudder,	*no*	
Pennſylvania,	Mr. R. Morris,	*no*	*ay*
	Mr. Reed,	*ay*	
	Mr. J. Smith,	*ay*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Chaſe,	*no*	*ay*
	Mr. Plater,	*ay*	
	Mr. Forbes,	*ay*	
Virginia,	Mr. R. H. Lee,	*no*	*no*
	Mr. Baniſter,	*no*	
	Mr. T. Adams,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*no*	
Georgia,	Mr. Langworthy,	*ay*	*divided*
	Mr. Telfair,	*no*	

So it paſſed in the negative.

The main queſtion was then put, and the yeas and nays required by Mr. Chaſe,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*ay*	

Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	
	Mr. Hoſmer,	*ay*	*ay*
	Mr. A. Adams,	*ay*	
New-York,	Mr. Lewis,	*no*	
	Mr. Duer,	*no*	*no*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	
	Mr. Scudder,	*ay*	*ay*
Pennſylvania,	Mr. R. Morris,	*no*	
	Mr. Reed,	*no*	*no*
	Mr. J. Smith,	*no*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*no*	
	Mr. Plater,	*no*	*no*
	Mr. Forbes,	*no*	
Virginia,	Mr. R. H. Lee,	*no*	
	Mr. Baniſter,	*ay*	
	Mr. T. Adams,	*ay*	*ay*
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	
	Mr. Harnett,	*no*	*no*
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Drayton,	*no*	
	Mr. Matthews,	*no*	*no*
	Mr. Heyward,	*no*	
Georgia,	Mr. Telfair,	*no*	
	Mr. Langworthy,	*no*	*no*

So it was reſolved in the affirmative.

A letter of this day from major general Arnold was read, which letter was accompanied with the proceedings and ſentence of a general court-martial on Frederick Verner, charged with acting as a ſpy and guide to the Britiſh army; and ſets forth, "that as the evidences do "not appear ſufficiently full and clear to touch the life of "a citizen, he has ſuſpended the ſentence until the plea- "ſure of Congreſs is known:" the letter alſo was accompanied with the proceedings and ſentences of a general court-martial on adjutant Wallace, Patrick M'Mullen, and Henry Love, together with ſundry certificates, &c. relative to the matter; and ſtates, that "as the evidence "againſt the two former is in his opinion, inſufficient to "touch their lives, and as there are ſeveral circumſtan-

"ces

" ces in favour of the latter, he begs leave to recommend " them to Congreſs as proper objects of mercy :" whereupon

Ordered, That ſo much of the ſaid letter as relates to Frederick Verner, together with the proceedings and ſentence of the general court-martial, and the papers relative to the matter, be referred to the ſupreme executive council of Pennſylvania, and that they be requeſted to report their opinion thereon to Congreſs :

That ſo much of the ſaid letter as relates to adjutant Wallace, Patrick M'Mullen, and Henry Love, with the proceedings and ſentence of the general court-martial on them, and the certificates, &c. relative to the matter, be referred to a committee of three ;

The members choſen Mr. Marchant, Mr. James Smith and Mr. Harvie.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to Bryan Lefferty, for his ſubſiſtance as a priſoner (agreeable to the articles of capitulation with major general Schuyler, January 18, 1776,) from the 2d of Auguſt, 1777, to the 29th of July, 1778, both days incluſive, fifty-one weeks and four days, at twenty-eight ſhillings per week, the ſum allowed by Congreſs, one hundred and ninety-two dollars and 40-90ths :

Ordered, That the ſaid account be paid.

The committee on the treaſury brought in a report ; whereupon

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, in favour of the committee of commerce, for ten thouſand ſix hundred and forty-ſix dollars and 6c-90ths, to enable them to pay Samuel and Iſaac Penroſe, on account of a balance due to them by the ſecret committee for freight of a cargo by the ſhip Sally, delivered at Cadiz, and for demurrage of the ſaid ſhip ; the committee of commerce to be accountable.

Ordered, That the farther conſideration of the report be poſtponed.

Ordered, That Mr. Deane be introduced, and that a ſeat be prepared for him at the end of the lower table, on the preſident's right hand.

Mr. Deane was accordingly introduced, and delivered two letters, one from doctor Franklin, dated Paſſy, March

31ſt, 1778, and one from monſieur de Beaumarchais, dated Paris, March 24th, 1778; which were read.

Mr. Deane was then proceeding to give the information required; whereupon a motion was made that the information be given in writing:

Ordered, That Mr. Deane withdraw.

Accordingly he withdrew; and on motion made, That the narrative Mr. Deane ſhall give to this houſe, of his tranſactions in France, be in writing:

After debate the previous queſtion was moved, and the yeas and nays being required by Mr. S. Adams,

New-Hampſhire,	Mr. Bartlett,	*ay*	1 *ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Hoſmer,	*ay*	
	Mr. A. Adams,	*no*	
New-York,	Mr. Lewis,	*no*	*no*
	Mr. Duer,	*no*	
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. R. Morris,	*no*	*no*
	Mr. Reed,	*ay*	
	Mr. James Smith,	*no*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	*no*
	Mr. Plater,	*no*	
	Mr. Forbes,	*no*	
Virginia,	Mr. Baniſter,	*no*	*no*
	Mr. T. Adams,	*no*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Telfair,	*no*	*no*
	Mr. Langworthy,	*no*	

So it paſſed in the negative.

The

The main queſtion was then put, the yeas and nays being required by Mr. Chaſe,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Holten,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Hoſmer,	*ay*	
	Mr. A. Adams,	*ay*	
New-York,	Mr. Lewis,	*ay*	*no*
	Mr. Duer,	*no*	
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. R. Morris,	*no*	*no*
	Mr. Reed,	*no*	
	Mr. James Smith,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Plater,	*no*	
	Mr. Forbes,	*no*	
Virginia,	Mr. Baniſter,	*no*	*no*
	Mr. T. Adams,	*no*	
	Mr. Harvie,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*no*
	Mr. Drayton,	*no*	
	Mr. Heyward,	*no*	
Georgia,	Mr. Telfair,	*no*	*no*
	Mr. Langworthy,	*no*	

So it paſſed in the negative.

Reſolved, That Mr. Deane be called in and informed that Congreſs deſire his attendance again on Monday morning at ten o'clock, to give, from his memory, a general account of his whole tranſactions in France, from the time of his firſt arrival, as well as a particular ſtate of the funds of Congreſs, and the commercial tranſactions in Europe, eſpecially with Mr. Beaumarchais, and to anſwer ſuch queſtions as may be aſked.

Mr.

Mr. Deane being called in and informed of the desire of Congress, withdrew.

A letter of the 13th from general Washington, at White Plains, and one of the 10th from major general Sullivan at Portsmouth, Rhode-Island, and one of the 12th from W. Palfrey, esquire, were read:

Ordered, That the last be referred to the board of war.

Adjourned to ten o'clock on Monday.

MONDAY, *August* 17, 1778.

Applications from Mrs. Wilson, Fanny Radden, and Maria Barrel, for leave to go to New-York, were laid before Congress and read:

Ordered to lie on the table.

Mr. Deane attending according to order was introduced, and proceeded to give the information required, and having made some progress therein, he had leave to withdraw, and accordingly withdrew.

Ordered, That Mr. Deane attend on Wednesday morning at ten o'clock, to proceed in his information.

A letter of the 11th from general Washington, inclosing one of the same date to him from W. Palfrey, paymaster general; also a letter of the 11th from the said W. Palfrey to Congress; were read:

Ordered, That the letters from W. Palfrey be referred to the board of treasury.

A letter of this day from major general Mifflin was read, inclosing his commission, which, for reasons set forth in the said letter, he begs leave to resign:

Ordered, That the said letter, together with his letters of the 10th and 11th, be referred to a committee of three;

The members chosen Mr. G. Morris, Mr. Reed and Mr. Witherspoon.

The committee to whom was referred a letter from general Washington of the 28th of July, respecting major general Putnam, and the report of the court of enquiry on the subject of the posts on the Highlands on Hudson's river, taken last year, which was transmitted to Congress, report,

That, upon a careful examination of the facts stated by the court of enquiry, and consideration of the evidence taken and transmitted, it appears that those posts were lost not from any fault, misconduct or negligence of

of the commanding officers, but solely through the want of adequate force under their command to maintain and defend them :

Resolved, That Congress agree to the said report.

In consequence of an adjustment by the commissioners of claims, the assistant auditor general reports,

That there is due to Charles Cist, for his services in attending the making of paper, by order of the treasury board, the sum of four hundred and eighteen dollars, including his expences, while on that service :

That there is due to Timothy Barret, for polishing and planishing two copper plates for engraving, by order of the board of treasury, the sum of twenty-one dollars and 30-90ths :

That there is due to the following persons, for boarding and funeral expences of general du Coudray, deceased, the sum of six hundred and ninety-five dollars and 60-90ths, viz.

To Mary House, for boarding and lodging him and his family, the sum of four hundred dollars, and for sundries furnished for the funeral, the sum of one hundred and thirty-seven dollars, making together the sum of five hundred and thirty-seven dollars ;

To Amelia Taylor, for crape for the funeral, the sum of seventy-four dollars and 60-90ths ;

To Martin Jacques and James Gillingham, for coffin and furniture, the sum of eighty dollars ; and

To the reverend Ferdinand Farmer, for his attendance, &c. at the chappel four dollars, making in the whole six hundred and ninety-five dollars and 60-90ths :

Ordered, That the said accounts be paid.

The committee on the treasury brought in a report ; whereupon

Ordered, That a warrant issue on Thomas Smith, esquire, commissioner of the continental loan-office in the state of Pennsylvania, in favour of Isaac Melcher, esquire, barrackmaster general, for fifty thousand dollars, for the use of his department ; for which he is to be accountable :

That a warrant issue on the treasurer for sixty-three thousand dollars, in favour of Charles Stewart, esquire, commissary general of issues, for the use of his department, and for which he is to be accountable :

That a warrant issue on the treasurer in favour of doctor Witherspoon, one of the delegates of the state of New-Jersey, for five hundred dollars, it being advanced upon his application ; the said state to be accountable :

That

That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, in favour of the committee of commerce, for five thouſand five hundred and fifty-five dollars and 5c-90ths, to enable them to pay Jonathan Williams the freight of one hundred and eighty bales of merchandize, imported on public account from France; the ſaid committee to be accountable:

That upon the application of the board of war and ordnance, a warrant iſſue in favour of Joſeph Nourſe, paymaſter to the ſaid board, for one hundred thouſand dollars, to enable the board to pay for the tranſportation of and making up cloathing, and to continue the purchaſe of ſtockings, ſhoes, hats and blankets for the army; the ſaid Joſeph Nourſe to be accountable.

Reſolved, That ſo much of the report of the board of treaſury as reſpects the grant of money to James Meaſe, eſquire, cloathier general, be re-committed, and that the board report ſpecially thereon.

Reſolved, That all the loan-office certificates ſtruck by reſolutions of Congreſs of the 3d day of October, 1776, the 14th of January and 22d day of February, 1777, and eight hundred and ſixty certificates of one thouſand dollars each, numbered from number 1 to 860, of the emiſſion ordered by Congreſs the 17th day of January, 1778, which have been ſigned by Michael Hillegas, eſquire, treaſurer, or Samuel Hillegas, be good and valid, notwithſtanding ſome of the ſaid certificates may be iſſued by the ſeveral commiſſioners of the continental loan-offices, after the date of the reſolution of Congreſs appointing Francis Hopkinſon, eſquire, treaſurer of loans.

Reſolved, That each officer in the department of the quartermaſter and barrackmaſter general attending Congreſs be directed from time to time to render to the ſeveral members accounts of the articles ſupplied them reſpectively, according to the coſt thereof: that ſuch accounts be paid to the paymaſter of the board of war and ordnance, who ſhall give to the reſpective members duplicate receipts for the money paid, one of which to be left at the board of treaſury.

Adjourned to ten o'clock to-morrow.

TUESDAY, *Auguſt* 18, 1778.

A letter of the 14th from brigadier Weedon was read, praying Congreſs, for reaſons therein ſet forth, to re-conſider

conſider the reſolution of the 19th of March for ſettling the rank of the Virginia brigadiers; or if Congreſs will pleaſe to continue him in the line till he can take an active part again with propriety, declaring that he will, whenever that is the caſe, be ready and willing to ſerve:

Whereupon Congreſs came to the following reſolution;

Whereas diſputes have ariſen between brigadiers Weedon and Woodford, relating to their rank in the armies of the United States, which were finally determined in Congreſs on the 19th day of March, 1778, in favour of brigadier Woodford, by which determination brigadier Weedon finds himſelf ſo circumſtanced as not to be able to ſerve with the main army:

Reſolved, That brigadier Weedon be permitted to retire; that he hold his preſent rank in the ſaid armies, and that he be called into ſervice whenever, from a change of circumſtances, the inconveniences he now labours under can be removed; provided that during the time of his being retired he ſhall not be entitled to receive either pay or rations, and provided alſo that unleſs he ſhall be called into and remain in ſervice during the war, he ſhall not be entitled to half pay.

On paſſing the foregoing reſolution the yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Hoſmer,	*ay*	*ay*
	Mr. A. Adams,	*ay*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*no*	
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Elmer,	*ay*	*ay*
	Mr. Scudder,	*ay*	
	Mr. Boudinot,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
Maryland,	Mr. Chaſe,	*ay*	*no*
	Mr. Plater,	*no*	
	Mr. Forbes,	*no*	

Virginia,	Mr. T. Adams,	*no*	*divided*
	Mr. Harvie,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*no*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Telfair,	*ay*	*ay*
	Mr. Langworthy	*ay*	

So it was resolved in the affirmative.

A letter of the 12th from the marquis de Britigny was read:

Ordered, That it be referred to a committee of five;

The members chosen Mr. Drayton, Mr. Duer, Mr. Lovell, Mr. Marchant and Mr. Chase.

A letter of the 10th from colonel Radiere was read:

Ordered to lie on the table.

A letter of this day from colonel baron Arendt was read, entreating Congress to permit him, for the recovery of his health to cross the sea; and for that purpose to grant him leave of absence for twelve months:

Resolved, That his prayer be granted, and that a furlough for twelve months be granted to baron d'Arendt, colonel in the service of the United States.

A letter of the 13th from count Pulaski was read:

Ordered, That it be referred to the committee appointed to enquire into the state of the legion under the command of brigadier count Pulaski.

A letter from general Washington, respecting Mr. Fearer and Mr. Kleinsmeit, was read:

Ordered, That it be referred to the board of war.

A letter from Thomas Dawkins, purser of the Mermaid frigate, was read:

Ordered, That it be referred to the marine committee.

A letter of the 17th from monsieur de la Balme was read:

Ordered, That it be referred to the board of war.

A letter of this date from Cornelius Sweers was read:

Ordered, That it be referred to the committee on the case of colonel Flower and Cornelius Sweers.

A letter of the 16th from colonel Knoblauch was read.

In consequence of recommendations from brigadiers or officers commanding brigades,

Resolved,

Resolved, That the reverend John Gano be appointed chaplain of the brigade commanded by brigadier James Clinton:

That the reverend Hezekiah Smith, of Haverhill in Massachusetts-Bay, be appointed chaplain to the brigade commanded by brigadier John Nixon:

That the reverend Adam Boyd be appointed chaplain to the North-Carolina brigade, commanded by colonel Clarke:

That the reverend John Hurt be appointed chaplain to the brigade late commanded by brigadier Weedon:

That the reverend David Avery be appointed chaplain to the brigade commanded by colonel John Baily, late brigadier Learned's brigade.

The committee of commerce laid before Congress a letter of April 25th, and one of the 2d of May last, from Mr. Schweighauser, at Nantes, with sundry papers inclosed:

Ordered to lie on the table.

Also a letter of July 3d from Mr. Abraham Livingston at Charles-Town, South-Carolina, inclosing a letter from Stephen Ceronio at Cape Francois, to the said Mr. Livingston:

Ordered, That these be referred to the committee of commerce, and that the committee be directed to report specially thereon.

A letter of the 5th from John Baynton, and one of the 6th from Andrew Lewis and Thomas Lewis, commissioners at Fort Pitt, with sundry papers inclosed, were read:

Ordered, That they be referred to the board of war.

A letter of this day from major Bigelow was read.

A letter of the 14th from the board of war was read; whereupon

Resolved, That the board of war be impowered and directed to take such measures with regard to the making up, storing and transporting the imported cloathing mentioned in the resolutions of Congress of the 28th of May last, as to them shall seem expedient and best adapted to present circumstances; any thing contained in the said resolutions notwithstanding.

Ordered, That a warrant issue on the treasurer, in favour of James Mease, esquire, cloathier general, for twenty thousand dollars, to enable him to answer a draught of his agents, messieurs Otis and Andrews of Boston,

Boſton, in favour of Sir James Jay, for a like ſum received of him by the ſaid agents; the cloathier general to be accountable.

A memorial from Henry Dulhauer, on behalf of himſelf and his comrade Frederick Brown, was read:

Ordered, That it be referred to the board of war.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *Auguſt* 19, 1778.

Mr. Cyrus Griffin, a delegate from Virginia, attended and produced the credentials of the appointment of the delegates from that ſtate, which were read as follows:

"In the General Aſſembly of VIRGINIA, May 29th, "1778.

"Reſolved, That Thomas Adams, John Harvie, John "Baniſter, Francis Lightfoot Lee, Merewether Smith, "Richard Henry Lee and Cyrus Griffin, eſquires, be ap-"pointed delegates to repreſent this commonwealth in "Congreſs, for one year from the eleventh day of Auguſt "next.

"ARCHIBALD CARY, Speaker of the Senate.

"BENJAMIN HARRISON, S. H. D."

A letter of the 16th from general Waſhington, incloſing a copy of one of the 13th from major general Sullivan, at Rhode-Iſland, was read.

A letter of the 17th from Joſeph Nourſe, ſecretary of the board of war and ordnance, was read, incloſing a monthly return of military ſtores.

The marine committee having informed Congreſs that a fleet of the enemy is now in the river Delaware, their ſtrength and deſtination unknown;

Reſolved, That the marine committee be impowered and directed immediately to equip and diſpatch, with all poſſible expedition, all the armed veſſels now in port to aid the frigate Chimere and annoy the enemy.

On motion,

Ordered, That the cloathier general make a return to Congreſs of the iſſues of cloathing made by him, or any of his agents, to the ſeveral regiments in the continental ſervice, from the firſt day of October laſt.

The committee to whom was referred that part of general Waſhington's letter of the 4th reſpecting the de-

partment

partment of the cloathier general, brought in a report, which was read :

Ordered, That the conſideration thereof be poſtponed.

Ordered, That Mr. Deane be informed, that Congreſs do not expect his attendance this day, but that he attend on Friday next at ten o'clock, to proceed in his information.

Congreſs proceeded to the election of two members to the navy board in the middle diſtrict, and the ballots being taken,

Captain Nathaniel Falconer and

James Searle, eſquire, were elected.

The marine committee brought in a report, which was taken into conſideration ; whereupon

Reſolved, That the reſpective navy boards be authorized and impowered to appoint and conſtitute courts of enquiry and courts-martial, under the direction of the marine committee, to examine and determine all offences and miſdemeanors in the marine department, according to law-martial, in the ſame manner as by a reſolve of the 6th of May laſt is preſcribed in certain caſes therein mentioned, and that this reſolve continue in force until the 6th day of May next, and no longer.

Reſolved, That application be made to his excellency the count d'Eſtaing, vice admiral of France, to purchaſe of him all ſuch prize ſhips and other veſſels which he may take on the coaſts of theſe ſtates, as he may not chuſe to retain in his hands or ſend into port :

That the marine committee take proper meaſures to execute this reſolution, and make monthly reports to Congreſs of the ſeveral veſſels that may be ſo purchaſed, and the coſt thereof.

Reſolved, That the marine committee be inſtructed to ſtipulate for the payment of ſuch veſſels as ſhall be ſo purchaſed in continental currency or proviſions.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to Gifford Dalley, for providing an entertainment on the reception of monſieur Gerard, miniſter plenipotentiary from the court of France, on Thurſday the 6th inſtant, the ſum of one thouſand four hundred and twenty-four dollars :

That there is due to Richard Roſs, for riding expreſs from January the 15th, 1777, to November the 1ſt, two hundred

hundred and eighty-nine days, a balance of one hundred and ninety-five dollars.

The auditor general further reports,

That there is due to James Milligan, eſquire, for his pay as commiſſioner of accounts at the board of treaſury, from the 16th of March to the 19th of Auguſt, inclusive, one hundred and fifty-ſeven days at five dollars per day, ſeven hundred and eighty-five dollars:

That there is due to William Turnbull, eſquire, for his pay as commiſſioner of claims at the treaſury office, from December 3d, 1777, to February 4th, 1778, ſixty-four days at four dollars per day, two hundred and fifty-ſix dollars; and 5th of February to the 18th of Auguſt, inclusive, one hundred and ninfity-five days at five dollurs per day, nine hundred and ſeventy-five dollars; in all one thouſand two hundred and thirty-one dollars:

That there is due to Mr. Thomas Ewing, for his pay as clerk to the board of treaſury and commiſſioners of claims, from the 28th of December, 1777, to the 28th of July, 1778, ſeven months at ſeventy-five dollars per month, five hundred and twenty-five dollars:

Ordered, That the ſaid accounts be paid.

The committee on the treaſury brought in a report; whereupon

Ordered, That, upon application of the board of war and ordnance, a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, for ſix thouſand dollars, in favour of Mr. Joſeph Nourſe, paymaſter to the board, to be advanced by them to Thomas Mayberry, of New-Jerſey, in part of the ſum of thirteen thouſand three hundred and thirty-three dollars and 1-3d, which he is to receive on a contract for iron between him and colonel B. Flower, commiſſary general of military ſtores, dated at Lebanon, the 28th of May, 1778; the ſaid Joſeph Nourſe to be accountable.

Adjourned to nine o'clock to-morrow.

THURSDAY, *Auguſt* 20, 1778.

A letter of the 19th from major general Arnold was read:

Ordered, That it be referred to the board of war, and that the board report their opinion on the neceſſity of an additonal number of troops to the corps of invalids for the

the purpoſe of guards in the city of Philadelphia; and if an additional number is in their opinion neceſſary, how many and for what purpoſes.

A letter of the 23d of June from major general R. Howe was read:

Ordered, That it be referred to a committee of five;

The members choſen Mr. Telfair, Mr. Drayton, Mr. Harnett, Mr. Scudder and Mr. Gerry.

A letter of this day from J. M'Kinly, eſquire, late preſident of the ſtate of Delaware, was read, ſoliciting to be exchanged for William Franklin, eſquire, late governor of New-Jerſey; whereupon

A motion was made, That the ſenſe of the houſe be taken whether it is conſiſtent at preſent with the intereſt of the United States to conſent to the exchange of William Franklin, eſquire, late governor of New-Jerſey:

The previous queſtion was moved; on which the yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Hoſmer,	*ay*	*ay*
	Mr. A. Adams,	*ay*	
New-York,	Mr. Lewis,	*no*	*no*
	Mr. Duer,	*no*	
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Elmer,	*ay*	*ay*
	Mr. Scudder,	*ay*	
	Mr. Boudinot,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. James Smith,	*ay*	
Maryland,	Mr. Chaſe,	*no*	*ay*
	Mr. Plater,	*ay*	
	Mr. Forbes,	*ay*	
Virginia,	Mr. T. Adams,	*ay*	*ay*
	Mr. Harvie,	*ay*	
	Mr. R. H. Lee,	*ay*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*ay*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	

South-Carolina,

South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*no*	
	Mr. Heyward,	*ay*	
Georgia,	Mr. Telfair,	*no*	*divided*
	Mr. Langworthy,	*ay*	

So it was reſolved,

That the main queſtion be not put.

On the queſtion put

Reſolved, That W. Franklin, eſquire, late governor of New-Jerſey, is a priſoner of the United States.

A motion was made, That Congreſs conſent to the exchange of preſident M'Kinly for governor Franklin; to which the previous queſtion was moved, the yeas and nays being required by Mr. Gerry,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*divided*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Hoſmer,	*ay*	*ay*
	Mr. A. Adams,	*ay*	
New-York,	Mr. Lewis,	*no*	*ay*
	Mr. Duer,	*ay*	
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*no*	*divided*
	Mr. Boudinot,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*no*	*divided*
	Mr. James Smith,	*ay*	
Maryland,	Mr. Plater,	*ay*	*ay*
	Mr. Forbes,	*ay*	
Virginia,	Mr. T. Adams,	*ay*	*ay*
	Mr. Harvie,	*ay*	
	Mr. R. H. Lee,	*ay*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*no*
	Mr. Drayton,	*no*	
	Mr. Heyward,	*no*	
Georgia,	Mr. Telfair,	*no*	*divided*
	Mr. Langworthy,	*ay*	

So the main queſtion was ſet aſide.

A letter

A letter of July 23d from John Wereat, eſquire, of Savannah in Georgia, was read, accompanied with an appeal from the judgment of a court of admiralty on a libel againſt the armed brig Hinchinbroke:

Ordered, That the ſame be referred to the committee on appeals.

A letter of July 14th from John Sanford Dart, of South-Carolina, with an invoice of cloathing incloſed, was read:

Ordered, That it be referred to the board of war.

A letter of this day from captain I. Stoddard was read; whereupon

Ordered, That to-morrow be aſſigned for taking into conſideration the report of the board of war, on the petition of captain Stoddard and others.

A letter of July 22d from Raymond Demere was read:

Ordered, That it be referred to the committee on a former letter from the ſaid Mr. Demere.

Reſolved, That a member be added to the ſaid committee;

The member choſen Mr. Forbes.

A memorial from the honourable the ſieur Gerard, miniſter plenipotentiary of France, was read, informing that a French ſailor, taken on board of an Engliſh privateer by an American ſhip, is confined in the priſon of Philadelphia, and requeſting that the Congreſs of the United States of America would be pleaſed to give orders that the ſaid ſailor be delivered to his diſpoſal, on the aſſurance of an equal return in a ſimilar caſe:

Ordered, That it be referred to the marine committee, and that they comply with the ſaid requeſt.

The committee to whom was referred the letter from general Waſhington, relative to baron Steuben, brought in a report:

Ordered, That it be referred to general Waſhington, and that he be deſired to conſider the ſame and return it to Congreſs, with his opinion and obſervations thereon.

A letter from John Campbell was read, ſetting forth that he is ſettled on iſlands independent, and in a country deemed neutral and independent, and that, looking on himſelf in that light, he deſires permiſſion may be granted to him for a free trade with the United States:

Ordered to lie on the table, and that Mr. Campbell be informed that Congreſs do not think it expedient to give any deciſion on the matter.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer for three thouſand dollars, in favour of the committee of commerce, to be by them tranſmitted to meſſieurs James and Adam Hunter, of Frederickſburg in Virginia, to pay the wages due to the ſeamen on board the brig Morris, now under their care, loaded with tobacco on public account, and other charges attending that veſſel; the ſaid committee to be accountable:

That a warrant iſſue on the treaſurer for five hundred dollars, in favour of Mr. J. Wentworth, one of the delegates from the ſtate of New-Hampſhire, advanced upon his application; the ſaid ſtate to be accountable:

That a warrant iſſue on the treaſurer for two hundred and fifty dollars, in favour of James Green, junior, in diſcharge of a bill drawn by Samuel Johnſton, treaſurer of the northern diſtrict of the ſtate of North-Carolina, and dated the 16th day of March, 1777, for that ſum, in favour of the ſaid James Green, junior; the ſaid ſtate to be accountable:

That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, on the application of the board of war and ordnance, for ſeventeen thouſand ſeven hundred and eighty-ſix dollars, in favour of Joſeph Nourſe, their paymaſter, to be by him forwarded to brigadier count Pulaſki, for equipping his legion; the ſaid brigadier count Pulaſki to be accountable.

Adjourned to ten o'clock to-morrow.

FRIDAY, *Auguſt* 21, 1778.

A letter of the 16th from general Waſhington was read, which was accompanied with the proceedings of a court-martial on the trial of major general Lee, and incloſing ſundry papers, comprehending a requeſt by major general Phillips for an officer to go into Canada by the way of the Lakes, on the ſubject of cloathing for the convention troops:

Ordered, That the ſaid papers, with ſo much of general Waſhington's letter as relates to general Phillips's requeſt, be referred to a committee of three;

The members choſen Mr. Chaſe, Mr. Duer and Mr. R. H. Lee.

Ordered,

Ordered, That the proceedings of the court-martial lie on the table for the perusal of the members, to be taken into consideration on Wednesday next

Another letter of the 19th from general Washington was read, inclosing a copy of a letter of the 17th from major general Sullivan.

A letter of the 20th from the council of Pennsylvania was read, informing that the council and a committee of the honourable house of assembly desire a conference with a committee of Congress, on the subject of fortifying the river Delaware; whereupon

Resolved, That a committee of three be appointed to confer with the council and committee of the assembly of Pennsylvania, on the business aforesaid;

The members chosen Mr. R. R. Lee, Mr. Duer and Mr. Scudder.

A letter from Fanny Raden was read, praying for leave to go to New-York:

Resolved, That leave be not granted.

Resolved, That when any persons are desirous of going within the enemy's lines, they shall apply to the executive powers of the state to which they belong; and if the said executive powers approve the motives and characters of the persons applying, and shall be of opinion, especially at so critical conjunctures as the present, that no danger will ensue by granting such permission, that they recommend them to the officer commanding the troops next to the enemy, who, upon such recommendation, may at his discretion permit the persons to go in.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due to the officers and privates of the invalid regiment, for pay and subsistance for the months of May and June last, the sum of nine hundred and thirty-seven dollars and 54-90ths:

Ordered, That the said accounts be paid.

The marine committee, to whom was referred the memorial of captain Pierre Mordret, report,

That the case set forth by the said memorial should be determined by a court of admiralty:

Resolved, That Congress agree to the said report.

According to order Mr. S. Deane attended, and proceeded in his information, and having finished the general account of his transactions, from the time of his first arri-

val

val in France to his departure from that kingdom, and of his commercial tranſactions in Europe, eſpecially with Mr. de Beaumarchais, he had leave to withdraw and withdrew accordingly.

Ordered, That one hundred copies of the proceedings of the court-martial on the trial of major general Lee, be printed for the uſe of the members.

Adjourned to nine o'clock to-morrow.

SATURDAY, *Auguſt* 22, 1778.

A letter of this day from Benjamin Randolph, and one of the ſame day from colonel Procter, were read:

Ordered, That they be referred to the board of war.

A letter of the 17th and one of the 18th from baron de Kalb were read:

Ordered, That the letter of the 18th lie on the table, and that the letter of the 17th be referred to a committee of three;

The members choſen Mr. R. H. Lee, Mr. Duer and Mr. Lovell.

Two letters of this day from captain Stoddard were read:

Ordered to lie on the table.

A letter from Mrs. Sweers was read:

Ordered to lie on the table, until the report of the committee on the caſe of colonel Flower and Cornelius Sweers is taken into conſideration.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter of the board of war and ordnance, for three hundred and thirty-two thouſand ſeven hundred and forty-three dollars and 60-90ths, being the balance of the ſum of nine hundred and thirty-two thouſand ſeven hundred and forty-three dollars and 60-90ths granted by Congreſs on the 11th of June laſt, for carrying on an expedition againſt the Indians; the ſaid Joſeph Nourſe to be accountable.

The order of the day being called for, Congreſs took into conſideration the report of the committee on the treaſury, when it was agreed, that the report ſhall be conſidered and debated by paragraphs; to which amendments may be offered and queſtions taken on the ſeveral amendments, but no queſtion ſhall be put on the report till the whole is gone through, and then the queſtion ſhall be put to agree to the whole as amended. In

In considering the powers of the comptroller,

A motion was made, After the words "payable by the United States," to insert "in consequence of resolutions of Congress;"

On the question, the yeas and nays being required by Mr. Chase,

New-Hampshire,	Mr. Bartlett,	*ay*	*ay*
Massachusetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Island,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. A. Adams,	*no*	*no*
New-York,	Mr. Duer,	*ay*	*divided*
	Mr. G. Morris,	*no*	
New-Jersey,	Mr. Elmer,	*no*	*no*
Pennsylvania,	Mr. Roberdeau,	*ay*	*ay*
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Chase,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Forbes,	*ay*	
Virginia,	Mr. T. Adams,	*no*	*no*
	Mr. Harvie,	*no*	
	Mr. R. H. Lee,	*no*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*
	Mr. Telfair,	*no*	

So the states being equally divided the motion was lost.

Ordered, That the farther consideration of the report be postponed to Tuesday next.

Adjourned to nine o'clock on Monday.

MONDAY, *August* 24, 1778.

A letter of July 20th from brigadier Moultrie was read, inclosing a letter of the 18th from doctor Oliphant:

Ordered, That so much of the said letter as relates to the cloathing department lie on the table:

That so much as relates to the new establishment of the army be referred to the board of war; and that so much as

as relates to the hoſpital, together with doctor Oliphant's letter, be referred to the committee of arrangement.

Another letter of the 27th of July from brigadier Moultrie was read :

Ordered to lie on the table.

A letter of the 10th from James Graham, of New-York, was read :

Ordered, That it be referred to the delegates of South-Carolina and Georgia.

A letter from meſſieurs Hodgſon and Brown, inhabitants of New-Providence, taken on board the ſhip Charlotte by the fleet under the command of count d'Eſtaing, and confined in the new jail in Philadelphia, was read, praying Congreſs to conſider their caſe and to grant whatever indulgence their ſituation may be judged intitled to :

Ordered, That the ſaid meſſieurs Hodgſon and Brown be informed, that they, being priſoners of His Moſt Chriſtian Majeſty, and not inhabitants of any of theſe United States, their application for indulgence muſt be made to the miniſter of France.

A letter of this day from colonel Wadſworth, commiſſary general of purchaſes, was read ; whereupon

Congreſs took into conſideration the report of the committee on the letter of July 23d from the ſaid commiſſary to his deputy Ephraim Blaine, eſquire, wherein the ſaid committee report as their opinion, " that the tranſportation of flour to the eaſtern ſtates by ſea is wiſe and neceſſary :" whereupon

Reſolved, That the commiſſary general of purchaſes do procure in Pennſylvania, Delaware, Maryland and Virginia, on the moſt reaſonable terms, twenty thouſand barrels of flour :

That the ſaid commiſſary general of purchaſes be directed to procure veſſels for the tranſportation of the flour aforeſaid ; and that he give timely notice of the ſailing of the ſaid veſſels, and confer thereon with the marine committee, to the end that convoy may be obtained and the deſtination thereof directed.

The committee to whom were referred the papers relative to colonel Benjamin Flower and Cornelius Sweers, for mal-practices in office, report,

That having cauſed Cornelius Sweers's depoſition to be taken, (which is herewith preſented) reſpecting his charge

charge againſt colonel Flower, and having confronted Cornelius Sweers and colonel Flower, the latter did poſitively deny all and every part of the charge againſt him by the former: that during Sweers's examination he appeared to be under fears and apprehenſions; that during colonel Flower's examination he appeared poſſeſſed of a confidence of his innocence with reſpect to the charge: that colonel Flower gave in to the committee a written declaration, ſtating his conduct in office, which is alſo herewith preſented: that having examined Henry Baker, therein mentioned, it appears that at or about the time of the battle of Brandywine, in Philadelphia, the ſaid Cornelius Sweers did, as ſtated in the ſaid declaration, make him give a receipt for more money than was by Sweers paid to him: that about the 22d of June laſt, being ordered by colonel Flower to arreſt Cornelius Sweers, he, upon that occaſion, told colonel Flower of this conduct of Sweers: that colonel B. Flower being farther examined, it appears he gave this order for the arreſt of Sweers, being informed by Mr. Turnbull that a diſcovery had been made and laid before Congreſs of ſeveral forgeries, ſuppoſed to be made by Sweers in the public accounts he delivered into the treaſury, and that this arreſt was ordered before colonel Flower heard that Congreſs had given any ſuch order: that it appears from colonel Flower's public letter book, that he uſed his beſt endeavours to cauſe Cornelius Sweers to be apprehended without any loſs of time: that it appears from colonel Flower's examination that it was after Sweers's arreſt, and while he was in confinement at Philadelphia, that he told Cornelius Sweers of his being informed, as ſtated in the declaration, that Cornelius Sweers had taken a receipt for more money than he had paid, which particular Sweers admitted, namely, that colonel Flower had ſo told him: that Sweers, having been repeatedly queſtioned upon the point, as often declared he had not any charge to make againſt colonel Flower, other than what was ſtated in his depoſition, nor did he know of any other inſtance of mal-practice in colonel Flower's conduct in his department: that upon the whole it does not appear to the committee that there is ſufficient evidence on the part of Cornelius Sweers to ſupport a proſecution againſt colonel Flower, whoſe integrity, in their opinion, ſtands unſpotted, notwithſtanding the charge by Sweers: whereupon

Congreſs

Congreſs paſſed the following reſolution;

Whereas, after minute enquiry, it has appeared to Congreſs, That the integrity of colonel Benjamin Flower, commiſſary general of military ſtores, remains unſpotted, notwithſtanding the charge by Cornelius Sweers, depury commiſſary general of military ſtores, againſt colonel Flower, for fraud in his office:

Reſolved, That colonel Benjamin Flower be diſcharged from his arreſt, and permitted to reſume the functions of his office.

Whereas there are ſo many ſtrong appearances of Cornelius Sweers's being guilty of divers forgeries and frauds againſt the public in his official tranſactions:

Reſolved, That able council be retained on behalf of the United States, in a court of law to proſecute Cornelius Sweers, for the forgeries and frauds by him committed in office; and that the books and papers (except Sweers's depoſition and letters relative thereto,) and the accounts in poſſeſſion of Congreſs, relative to ſuch malconduct, be placed in the hands of ſuch council, as materials whereupon to ground the proſecution to form and ſupport the charge; and further, that colonel B. Flower be required to collect all neceſſary witneſſes capable of demonſtrating the frauds which are apparent in the public accounts, wherein forgeries are ſuppoſed to have been committed by the ſaid Cornelius Sweers.

Reſolved, That the board of treaſury be impowered and directed to employ the council above directed to proſecute Cornelius Sweers.

The committee on the treaſury brought in a report; whereupon

Ordered, That the following warrants, amounting to three millions of dollars, iſſue in favour of Jeremiah Wadſworth, eſquire, commiſſary general of purchaſes, for the uſe of his department, viz.

One on the treaſurer for two millions eight hundred and fifty thouſand dollars;

One on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, for one hundred thouſand dollars;

One on Thomas Harwood, eſquire, commiſſioner of the continental loan-office in the ſtate of Maryland, for fifty thouſand dollars; for which ſum of three millions the ſaid Jeremiah Wadſworth is to be accountable.

A petition from Phineas Babcock was read; whereupon *Ordered*,

Resolved, That the said petition be transmitted to the commissioners of accounts at Albany, and that the said commissioners be authorised to examine into the merits of the said petition, and if upon an examination of evidence and other vouchers produced by the said Babcock, they shall find that any of his stock or other property have been, bona fide, applied for the use of the continental army, that they pass the accounts of the said Phineas Babcock for as much money as may be reasonably due for such stock or other property which may have been so applied.

A letter of the 11th from governor Trumbull, and one of July 25th from Mr. president Weare, of New-Hampshire, were read.

A letter of the 15th from P. Colt, esquire, was read; whereupon

Ordered, That a duplicate of the warrant in favour of William Buchanan, late commissary general of purchases, for one hundred thousand dollars, on John Lawrence, esquire, commissioner of the continental loan-office in the state of Connecticut, for the use of Peter Colt, esquire, dated July 6, 1778, be made out and sent to the said Peter Colt, and made payable to him in case the former warrant has not already come to his hands or been paid.

Adjourned to nine o'clock to-morrow.

TUESDAY, *August* 25, 1778.

A letter of the 14th from B. Harrison, esquire, deputy paymaster general in Virginia, was read, inclosing his monthly account:

Ordered, That it be referred to the board of treasury.

A letter of the 22d from governor Livingston, of New-Jersey, was read:

Ordered, That it be referred to the board of war.

A letter of the 21st from general Washington was read, inclosing a memorial addressed to him by colonel Rawlins and other officers of his regiment:

Ordered, That the same be referred to the board of war.

A letter of the 13th from major Gibbs was read.

A letter of the 21st from the board of war was read:

Ordered, That it be referred to the delegates of Virginia and North-Carolina.

Another letter of the 21ſt from general Waſhington and one of the 19th from major general Sullivan, at Rhode-Iſland, were read.

A memorial from Garret Steddiford was read, repreſenting that he has the commiſſion of enſign and quartermaſter in the 3d Pennſylvania regiment, and praying to be allowed pay for and agreeable to his ſaid commiſſions:

Ordered, That it be referred to the board of war.

According to order Congreſs reſumed the conſideration of the report of the committee on the arrangement of the treaſury, and after ſome time ſpent thereon,

Ordered, That the farther conſideration thereof be poſtponed.

A letter of the 21ſt from major general baron de Kalb, to Mr. R. Morris, was laid before Congreſs and read:

Ordered, That it be referred to the board of war.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. Joſeph Nourſe, paymaſter to the board of war and ordnance, for thirty-eight thouſand ſeven hundred and four dollars and 48-90ths, to enable them to pay for goods purchaſed of Peter Whiteſides and Co. the ſaid Joſeph Nourſe to be accountable.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *Auguſt* 26, 1778.

A memorial from the marquis de Bretigny was read:

Ordered, That it be referred to the committee to whom his letter of the 18th was committed.

A letter of July 6th from Mr. W. Bingham at St. Pierre, Martinique, directed to the committee for foreign affairs, and incloſing ſundry papers relative to veſſels captured in the Weſt-Indies, was read:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Hoſmer, Mr. Drayton and Mr. Chaſe.

A letter of the 24th from Cornelius Sweers was read.

A memorial from John Harper and Co. owners of the ſchooner Liberty, reſpecting the ſaid ſchooner, and proceedings thereon, was read:

Ordered, That the ſame, with the papers accompanying it, be referred to a committee of three;

The

The members chosen Mr. Chase, Mr. Smith and Mr. Duer.

The board of war report, that the commissaries general of purchases and issues have represented to them, that from the moving state of the army, many parts of the ration, as established by Congress, cannot frequently be obtained, and, from the peculiar circumstances attending the supplies, there is sometimes an over quantity of one article while others are extremely scarce, some of the states affording greater quantities of meat, while others abound more in flour; and that from hence great embarrassments arise in the delivery of the stated ration; and that under such fluctuating circumstances, which change with the motions of the army, it is impracticable and troublesome to apply to Congress on every alteration of situation: whereupon

Resolved, That the commander in chief of the armies of the United States shall, in the army under his immediate command, and the commander of a department shall, in the army under his command, settle and determine according to circumstances the ration to be issued to the troops from time to time, giving an over proportion of a plentiful article in lieu and in full satisfaction of such as are scarce or not to be had, and which have been heretofore deemed part of the ration, reporting from time to time to the board of war such alterations and regulations by them respectively made in this respect.

Ordered, That the remainder of the report be taken into consideration to-morrow.

A letter of this day from the board of war was read:

Ordered, That it be referred to a committee of three;

The members chosen Mr. R. Morris, Mr. Marchant and Mr. S. Adams.

In consequence of an adjustment by the commissioners of claims the auditor general reports,

That there is due to John Pinkerton, for six windsor chairs for the use of the treasury office, the sum of thirty-six dollars:

That there is due to Levallin Barry, for riding express from June 1st, 1777, to November 1st, and contingent expences, a balance of two hundred and forty-six dollars and 82-90ths:

That there is due to colonel George Morgan, for sundry contingent expences paid by him at Fort Pitt, by order

der of George Clymer, Sampſon Matthews, and Samuel M'Dowell, eſquires, commiſſioners appointed by Congreſs, being for their expences and the expence of two expreſſes from the Miſſiſippi, &c. one thouſand eight hundred and ſixty-ſeven dollars and 68-90ths:

Ordered, That the ſaid accounts be paid.

The cominittee on the treaſury report,

That they have conſidered the extra ſervices and peculiar circumſtances of William Bedlow, as ſet forth in his memorial, referred to them, and are of opinion that he be allowed thirty-five dollars per month whilſt acting as deputy paymaſter to William Palfrey, eſquire, paymaſter general, in addition to his former allowance of fifty dollars per month:

Reſolved, That Congreſs agree to the ſaid report.

The petition of James Hawker, captain of the Mermaid, priſoner in the new jail, praying to be diſcharged on parole, was read, and it appearing to Congreſs that the ſaid captain Hawker had treated ſuch American priſoners as fell into his hands with ſingular humanity and tenderneſs,

Ordered, That the marine committee enlarge the ſaid captain Hawker, on his parole.

Adjourned to nine o'clock to morrow.

THURSDAY, *Auguſt* 27, 1778.

In conſequence of a recommendation by brigadier John Patterſon,

Reſolved, That the reverend Enos Hitchcock be and he is hereby appointed chaplain to the Maſſachuſetts brigade, commanded by brigadier J. Patterſon.

A memorial from Hyam Soloman, late of the city of New-York, was read:

Ordered, That it be referred to the board of war.

A motion was made That Congreſs meet twice a day; whereupon

It was moved that the conſideration of that queſtion be poſtponed:

Queſtion put, the ſtates were equally divided and the motion loſt.

The determination of the main queſtion was then, by a ſtate, poſtponed till the next day.

A letter of July 12th from Richard Ellis, at Newbern, North-Carolina, and directed to the committee of commerce, was read:

Ordered,

Ordered, That it be referred to the committee of commerce, and that they report thereon, if they judge proper.

A letter of the 21ſt from Stephen Steward, of Weſt river, Maryland, and directed to the committee of commerce, was read, deſiring to know what he ſhall do with the ſhip Chaſe, and intimating that about two hundred hogſheads of tobacco belonging to the public are now ſpoiling; whereupon

Ordered, That the committee of commerce direct Mr. Steward to ſell the tobacco and fit the veſſel for ſea with all diſpatch, to take on board a cargo of flour.

A letter of the 14th from Mr. de Francey, to the committee of commerce, was read:

Ordered, That it be returned to the ſaid committee.

A letter of the 22d from monſieur Marmajou was read, with ſundry papers incloſed relative to the brig Prudence:

Ordered, That the ſame be referred to the committee on the letter of July 6th from Mr. W. Bingham.

The committee to whom was referred the memorial of John Mitchel, eſquire, deputy quartermaſter general, report,

That as the deputy quartermaſter general, *ex officio*, applied to the judge of the admiralty of Pennſylvania, and by his authority, on behalf of the United States of America, took poſſeſſion of a ſhip or veſſel loaded with Britiſh property, ſunk on the chevaux de frize in the river Delaware, and left there by the enemy; and as two merchants of Philadelphia have claimed the ſhip and cargo, having, as they ſay, bought them at vendue when the enemy were in poſſeſſion of Philadelphia; and as the executive council of Pennſylvania have alſo ſet up a claim, on behalf of the ſtate, to the ſame ſhip and cargo; and therefore theſe ſeveral claims muſt be determined by a ſuit at law; the committee recommend that John Mitchel, deputy quartermaſter general, be authoriſed, at the charge of the United States, to proſecute their claim to the ſaid ſhip and cargo.

Reſolved, That Congreſs agree to the ſaid report.

The committee appointed to conſider part of a report of the committee of commerce, and the papers and accounts of Raymond Demeree, deputy cloathier general in Georgia, brought in a report:

Ordered to lie on the table. The

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of James Meaſe, eſquire, cloathier general, for twenty-nine thouſand ſix hundred and fifty-one dollars and 30-90ths, to enable him to pay a bill of exchange for this ſum, drawn by meſſieurs Otis and Andrews, of Boſton, the 30th of June laſt, in favour of John Bradford, eſquire, and endorſed by him to the marine committee; the ſaid J. Meaſe to be accountable:

That a warrant iſſue on the treaſurer in favour of the marine committee, for five hundred and ten dollars and 2-3ds, to enable them to diſcharge an account of meſſieurs Hopkinſon and Wharton, allowed for their expences at Baltimore, and on their journey from thence to Philadelphia; the ſaid marine committee to be accountable:

The board further report, that having conſidered the petition of captain James Knox, of the 8th Virginia regiment, dated White-Marſh Camp, November 19th, 1777, which was referred to them by Congreſs, they are of opinion that nothing is offered to prove that the petitioner was authoriſed to receive money for the officers and ſoldiers of his company, which, agreeably to the eſtabliſhment, ſhould have been paid by the regimental paymaſter: that, ſuppoſing him juſtifiable in this, no evidence is adduced to ſhew, that it was not through his neglect that the money, which he drew for the officers and men of his company, remained in his hands when ordered to join colonel Morgan's corps: that in the petition it is ſet forth, that only ſix hundred and eighteen dollars, belonging to the ſaid officers and ſoldiers, were delivered to captain Berry at the time of his receiving the order to join colonel Morgan; whereas by the depoſition of captain Berry it appears, that fifteen hundred and twelve dollars had been delivered to him by the petitioner, of which ſix hundred and eighteen dollars had been loſt: that the evidence of John Key, relative to the breaking open the cheſt, appears unfavourable to the petitioner: whereupon

Reſolved, That captain Knox have leave to withdraw his petition.

Reſolved, That a committee of five be appointed to conſider the ſtate of the money and finances of the United States, and report thereon from time to time;

The

The members chosen Mr. R. Morris, Mr. Gerry, Mr. R. H. Lee, Mr. Witherspoon and Mr. G. Morris.

Ordered, That the report of the committee, on the proceedings of the convention of committees, be referred to the foregoing committee.

A letter of the 24th from general Washington, and one of the 21st from major general Sullivan, were read.

Congress took into consideration the report of the committee to whom were referred the letters of major general Gates of the 22d of July, and of brigadier Parsons of the 21st of July, relative to cloathing purchased by major Bigelow, &c. whereupon

Resolved, That a warrant issue on the treasurer in favour of James Mease, esquire, cloathier general, for two hundred and ninety thousand dollars, to be by him paid to major Bigelow, for the purpose of satisfying the contracts, which he has made for cloathing, in consequence of orders given him by the commanding officer on the east side of Hudson's river, in pursuance of the resolution of Congress of the 4th of March last; and that major Bigelow settle his accounts with the commissary general of cloathing.

Resolved, That major Bigelow be and he is hereby directed to deliver all the cloathing, which he has purchased, into the hands of the cloathier residing with the army on the east side of Hudson's river, as the same shall from time to time be made up; and that he transmit to the commissary general of cloathing particular invoices of the goods he has purchased, and accounts of the deliveries made.

Adjourned to nine o'clock to-morrow.

FRIDAY, *August* 28, 1778.

A letter of the 22d from the executive council of Pennsylvania, relative to the case of Frederick Verner, referred to them on the 15th, was read.

A memorial from John Connolly, prisoner in the new jail, was read; whereupon

Resolved unanimously, by all the thirteen states, That the commissary general of prisoners be directed not to consent to the exchange of John Connolly, calling himself a lieutenant colonel in the British service, without the special order of Congress.

Ordered, That the commissary general of prisoners be directed not to deviate in any instance, without the special

cial order of Congreſs, from the reſolution of the 30th of December, 1777, relative to the citizens of theſe ſtates who may be taken in arms.

A letter of the 25th from general Waſhington was read.

Reſolved, That baron Steuben be requeſted forthwith to repair to Rhode-Iſland, and give his advice and aſſiſtance to major general Sullivan and the army under his command.

Ordered, That Mr. Thomas Adams have leave of abſence.

Adjourned to nine o'clock to-morrow.

SATURDAY, *Auguſt* 29, 1778.

Mr. Henry, a delegate from Maryland, attended and took his ſeat in Congreſs.

A letter of this day from baron Steuben was read, expreſſing his zeal and readineſs for every thing that can contribute to the ſervice of the ſtates, and informing that he will inſtantly ſet out for Rhode-Iſland, agreeably to the orders of Congreſs.

Ordered, That five hundred dollars be advanced to baron Steuben; he to be accountable.

A memorial from colonel Knoblauch was read; whereupon

Reſolved, That colonel Knoblauch be allowed two rations a day and forage for two horſes.

A memorial from the reverend John Hurt, and a recommendation in his favour, by brigadier Scott, to be appointed chaplain to his brigade, with a certificate that he has acted as ſuch ſince the 25th of July laſt, were read; whereupon

Reſolved, That the reſolution of the 18th inſtant, appointing the ſaid Mr. J. Hurt chaplain to the brigade late commanded by brigadier general Weedon, be reconſidered, and that the ſaid Mr. J. Hurt be appointed chaplain to the brigade commanded by brigadier Scott.

Ordered, That the memorial of the reverend Mr. J. Hurt, ſo far as it relates to the ſettlement of his paſt accounts, be referred to the board of treaſury.

Congreſs took into conſideration the report of the committee on the papers and accounts of Raymond Demeree: whereupon

Ordered, That the bill drawn by Raymond Demeree on James Meaſe, eſquire, in favour of Minis and Cohen, for five thouſand four hundred and ninety-ſix dollars, the

the bill drawn by the ſaid Raymond Demeree, on the ſaid James Meaſe, in favour of Coſhman Pollock, for one thouſand two hundred and eighty-ſeven dollars, both which bills are endorſed to don Juan de Mirailles, be paid; and that a warrant iſſue in favour of J. Meaſe, eſquire, cloathier general, for ſix thouſand ſeven hundred and eighty-three dollars, for payment of the ſame.

Reſolved, That the cloathier general be impowered and directed to pay the bills duly drawn upon him by Raymond Demeree, his deputy in Georgia, for the amount of cloathing purchaſed for the troops in the continental ſervice; the reſolution paſt on the 6th of April laſt to the contrary notwithſtanding.

Ordered, That a warrant for five hundred guineas be iſſued on the treaſurer, in favour of the preſident, to be by him tranſmitted to the commander in chief, to be laid out for the public ſervice; he to be accountable.

The committee to whom was referred the letter of the 15th from major general Arnold report, That in their opinion the evidence againſt Patrick M'Mullen is ſufficient, together with his own confeſſion, to convict him of deſertion, being the crime charged againſt him: that the court-martial which tried him certified to the general that the ſaid Patrick M'Mullen is a perſon of moſt attrocious character: whereupon

Reſolved, That major general Arnold be informed that Congreſs do not ſee cauſe to remit the ſentence paſſed by the court-martial on Patrick M'Mullen.

Reſolved, That adjutant Wallace and Henry Love, upon the circumſtances attending their particular caſes, and the recommendation of them by general Arnold to the mercy of Congreſs, be and they are hereby pardoned.

A letter of the 28th from captain J. Stoddard was read.

The board of war, to whom were referred the petition of captain Stoddard, and the memorial of captain Stoddard and other officers of the 2d regiment of light dragoons, having made a report thereon, their report was read; whereupon

Reſolved, That the memorial of the officers of the 2d regiment of light dragoons, together with the report of the board of war, be tranſmitted to the committee of arrangement now with the army: that they be deſired to enquire of general Waſhington whether the ſaid me-

morial is to be conſidered as an application from the officers of the cavalry in general, and to know the general's opinion as to the mode and amount of the compenſation, which he ſhall deem proper to be allowed to the officers of the cavalry for the extra expences they are at in equipping themſelves for the ſervice.

The committee on the treaſury brought in a report, which was read, and after debate

Ordered, That it be re-committed.

A letter of the 28th from John and Alexander Wilcocks was read:

Ordered to lie on the table, for future conſideration.

Adjourned to nine o'clock on Monday.

MONDAY, *Auguſt* 31, 1778.

A letter of the 13th from Mr. M. Viſcher, with ſundry papers relative to Indian affairs in the northern department, was read:

Ordered, That they be referred to the board of war.

A letter of the 25th from governor Trumbull, of Connecticut, was read, reſpecting the ſettlement of the accounts of his ſon, the late Joſeph Trumbull, eſquire, commiſſary general:

Ordered, That it be referred to the board of treaſury.

A letter of the 14th from the council of Maſſachuſetts-Bay was read, together with a letter from meſſieurs Gardoqui and Sons, at Bilboa, dated June 4th, and a note from Arthur Lee, eſquire, commiſſioner at Paris, May the 12th.

A letter of the 27th from the committee of arrangement at Camp, was read, informing that a great ſpirit of inliſting had taken place among the ſoldiers who are brought in to the army as drafts, and repreſenting the expediency of authoriſing the inliſtment of them: whereupon

A report from the board of war, on a paragraph of a letter of the 3d and 4th from general Waſhington on that ſubject, was called for, and the ſame being read, a motion was made, That the ſenſe of the houſe be taken on granting a ſum of ſpecie, to be applied in part of the bounty allowed to ſoldiers inliſting for three years or during the war:

On which the yeas and nays being required by Mr. Buer,

New-

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Hoſmer,	*no*	*no*
	Mr. A. Adams,	*no*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
	Mr. Elmer,	*no*	
	Mr. Scudder,	*no*	
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. J. Smith,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Plater,	*no*	
	Mr. Forbes,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. Harvie,	*ay*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*ay*	
Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*ay*	
	Mr. Langworthy,	*ay*	

So it paſſed in the negative.

Congreſs proceeded to conſider the report; whereupon

Reſolved, That it is eſſential to the intereſt and ſafety of theſe ſtates that the moſt ſpeedy and effectual meaſures be without delay adopted for engaging in the continental ſervice, for three years or during the war, ſuch of the drafts of the militia as are at preſent incorporated in the battalions of the reſpective ſtates.

Reſolved, That for this purpoſe the ſum of one hundred and twenty thouſand dollars in continental money, be appropriated and forthwith remitted to W. Palfrey, eſquire, paymaſter general of the army.

Reſolved,

Resolved, That the usual bounty of twenty dollars be given to each recruit who shall inlist for three years or during the war.

Resolved, That no soldier be permitted to inlist in the battalions of any other state than that in whose service he is at present engaged, except in the artillery, cavalry, engineering departments, and provosts; the men so engaged to be carried to the quota of the state for which they now serve.

Resolved, That general Washington be directed to cause the money hereby appropriated, to be paid into the hands of such trusty, active, and discreet officers as he shall think proper to appoint to recruit for the quota of the respective states, in proportion to the number of men not engaged for three years or during the war, which each state shall have in the field.

A paper signed "Adam Ferguson, secretary to his majesty's commission," dated at New-York, August 26th, 1778, was read, setting forth, that "His majesty's commissioners direct doctor Ferguson to transmit to the president of the American Congress, for the information of the Congress, the declaration of this day by George Johnstone, esquire, and the declaration of the same date by the earl of Carlisle, sir Henry Clinton, and William Eden, esquire, and also the requisition respecting the troops lately serving under lieutenant general Burgoyne, signed by the earl of Carlisle, sir Henry Clinton, and William Eden, esquire, which several declarations and requisitions, accompanying the said paper, were read.

Ordered, That a warrant issue on the treasurer in favour of James Mease, esquire, cloathier general, for thirty thousand two hundred and twenty-two dollars and an half, to discharge the following bills, drawn on him by Raymond Demeree, his agent in Georgia, viz.

One dated April 21st, 1778, in favour of John Baddely, esquire, for four thousand nine hundred dollars;

One of the same date, in favour of the same, for five thousand one hundred dollars;

One of the same date, in favour of the same, for five thousand dollars;

One of the same date, in favour of the same, for four thousand eight hundred dollars;

One dated June 10th, in favour of James Anderson, for two thousand four hundred and twenty-two dollars and an half;

One

One dated July 21ſt, in favour of John Walters Gibbs, for eight thouſand dollars;

Amounting in the whole to the ſum of thirty thouſand two hundred and twenty-two dollars and an half; all expreſſed to be for value received in cloathing for the continental troops of the ſtate of Georgia; the ſaid James Meaſe to be accountable.

A letter of the 13th from governor Caſwell, of North-Carolina, to Mr. Penn, one of the delegates of that ſtate, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Marchant, Mr. Drayton and Mr. Harvie.

Ordered, That Mr. Scudder have leave of abſence.

Adjourned to nine o'clock to-morrow.

TUESDAY, *September* 1, 1778.

The delegates from North-Carolina produced a new commiſſion, which was read, as follows;

"(L. S.) State of NORTH-CAROLINA.

"To Whitmill Hill and Thomas Burke, greeting.

"WHEREAS The general aſſembly have made "choice of you, Whitmill Hill and Thomas Burke, as "delegates in the continental Congreſs, to repreſent this "ſtate, together with John Penn, Cornelius Harnett, and "John Williams, eſquires, who have been heretofore ap-"pointed for that purpoſe. We do therefore commiſſio-"nate and appoint you the ſaid Whitmill Hill and Tho-"mas Burke, delegates in the continental Congreſs, to "repreſent this ſtate for and during the term of one "year, unleſs ſooner removed by the general aſſembly "of this ſtate; of which five members, to wit, John "Penn, Cornelius Harnett, John Williams, Whitmill "Hill, and Thomas Burke, we do impower and require "three and no more, unleſs prevented by unavoidable "accident, to attend the councils of Congreſs, hereby "giving and granting unto any two of the ſaid delegates "preſent in Congreſs, full power and authority, by their "vote or aſſent, to bind the inhabitants of this ſtate in "all caſes not inconſiſtent with the conſtitution thereof "and its rights as an independent ſovereign people and "the inſtructions which they ſhall receive from this "ſtate. Witneſs Richard Caſwell, Eſquire, Governor,

Captain

" Captain General and Commander in Chief of the ſaid " ſtate, under his hand and the ſeal now uſed for ſaid " ſtate, at Hillſborough, the 13th day of Auguſt, in the " third yearof our independence, Anno Domini 1778.

" R. CASWELL.

" By his excellency's command,
" J. GLASGOW, ſecretary of the ſtate."

A letter of Auguſt 30th from baron d'Arendt was read:

Ordered to lie on the table.

A letter of this day from Cornelius Sweers was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Drayton, Mr. G. Morris and Mr. Chaſe.

A letter of this day from colonel Wadſworth was read; whereupon

Congreſs reſumed the conſideration of the report of the board of war, dated Auguſt the 25th, and thereupon

Reſolved, That the commiſſary general of purchaſes be impowered and directed to appoint and remove, at his pleaſure, an inſpector of cattle, at a ſalary of four dollars a day, with an allowance of one ration a day and forage for one horſe:

That the duty of the ſaid inſpector ſhall be to receive and take account of the fat cattle at Camp, from the ſeveral drovers; to inſpect over the bullock guard and paſtures; to ſuperintend the butchers, and ſee that no cattle are killed but thoſe fit for uſe; to keep accounts of the beef delivered to the brigade commiſſaries, and ſettle the ſame with them every month; to ſee that the hides and tallow are ſeaſonably delivered to the commiſſary of hides, and to ſuperintend and regulate every thing relating to beef cattle at Camp:

That he report monthly his proceedings to the board of war, and all occurrences worthy of notice within the line of his duty.

A letter of July 20th, one of Auguſt 1ſt, and of the 11th of the ſaid month, from major general Heath, were read:

Ordered, That the letter of July 20th lie on the table, and that the letter of Auguſt 1ſt be referred to the board of treaſury.

A letter

A letter of Auguſt 29th from the board of war, and one without date from monſieur Holker, were read, reſpecting cannon arrived in North-Carolina; whereupon

Ordered, That the committee to whom was referred the letter of Auguſt the 21ſt from the board of war be diſcharged from proceeding further in that matter, and that the ſaid letter, together with thoſe now read from the board of war and Mr. Holker, be referred to a committee of three;

The members choſen Mr. Matthews, Mr. Witherſpoon and Mr. S. Adams.

A letter of Auguſt 23d from J. Temple was read, informing that, after ſeven years abſence from his native country, he arrived at New-York with his wife and family on the third of that month, and begging leave to ſolicit Congreſs for liberty to come to Philadelphia, to pay his reſpects to them; whereupon

A motion was made, That leave be granted;

On which the yeas and nays being required by Mr. Drayton,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. A. Adams,	*no*	*no*
New-York,	Mr. Lewis,	*no*	*no*
	Mr. Duer,	*no*	
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*divided*
	Mr. Elmer,	*no*	
Pennſylvania,	Mr. R. Morris,	*no*	*no*
	Mr. Roberdeau,	*no*	
	Mr. J. Smith,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Forbes,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. Harvie,	*no*	*no*
	Mr. R. H. Lee,	*no*	
	Mr. Griffin,	*ay*	

North-

North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*ay*	
Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*no*	
	Mr. Langworthy,	*ay*	

So it paſſed in the negative.

A motion was then made, That the ſecretary inform Mr. Temple that, if it is his intention to reſide in one of the United States, he do ſignify the ſame to the ſtate in which he means to reſide, and obtain their approbation, previous to the granting of any paſſport:

On which the yeas and nays being required by Mr. Laurens,

New Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. A. Adams,	*ay*	*ay*
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Elmer,	*ay*	
Pennſylvania,	Mr. R. Morris,	*ay*	*divided*
	Mr. Roberdeau,	*no*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Plater,	*ay*	*ay*
	Mr. Forbes,	*no*	
	Mr. Henry,	*ay*	
Virginia,	Mr. R. H. Lee,	*ay*	*
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*no*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*ay*	
Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*ay*	

So it was reſolved in the affirmative.

Adjourned to nine o'clock to-morrow. WEDNESDAY,

WEDNESDAY, *September* 2, 1778.

A memorial from Matthew Irwin, Azariah Dunham, and Joſeph Hugg, was read:

Ordered, That it be referred to the board of treaſury.

Mr. Nicholas Vandyke, a delegate from Delaware, attended and took his ſeat in Congreſs.

On motion,

Reſolved, That it be recommended to the legiſlative or executive powers of the ſtate of Pennſylvania, and the ſtates ſouthward thereof, to permit ſuch veſſels to load with flour, wheat, rice, corn, peaſe or beans, for the eaſtern ſtates, as ſhall come recommended by the executive powers of ſuch ſtates, or any of them, to carry proviſions for the conſumption of the people of thoſe ſtates:

On putting the queſtion, the yeas and nays being required by Mr. G. Morris,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Hoſmer,	*ay*	*ay*
New-York,	Mr. Lewis,	*no*	*no*
	Mr. G. Morris,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*divided*
	Mr. Elmer,	*no*	
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. James Smith,	*no*	
Delaware,	Mr. Vandyke,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	*divided*
	Mr. Plater,	*no*	
	Mr. Forbes,	*no*	
	Mr. Henry,	*ay*	
Virginia,	Mr. Harvie,	*no*	*no*
	Mr. R. H. Lee,	*ay*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*ay*	

Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*ay*	
	Mr. Langworthy	*ay*	

So it was resolved in the affirmative.
Adjourned to nine o'clock to-morrow.

THURSDAY, *September* 3, 1778.

A letter of August 31st from general Washington was read, together with the following papers inclosed therein, viz. an account of officers for whom colonel Armand desires commissions in his corps; a memorial of brigadier du Portail, respecting the rank of the officers who came with him; and a report of a board of general officers on an alteration of the rules and articles of war:

Ordered, That the letter with the papers inclosed be referred to the board of war.

The committee on the treasury brought in sundry reports; whereupon

Ordered, That a warrant issue on the treasurer in favour of Joseph Hilborn, for five hundred dollars, in discharge of a bill drawn by Samuel Johnston, treasurer of the northern district of the state of North-Carolina, in favour of Richard Blackledge, for that sum, dated December 21st, 1776; the said state of North-Carolina to be accountable:

That a warrant issue on the treasurer in favour of doctor Jonathan Potts, deputy director general for the middle district, for seventy thousand dollars, of which forty thousand is for the use of the hospitals thereof, and thirty thousand to be transmitted to doctor Johnston, assistant director in the northern department; the said doctor J. Potts to be accountable:

That a warrant issue on the treasurer in favour of James Mease, esquire, cloathier general, for one hundred and thirty one thousand dollars, to enable him to answer sundry draughts of his agents; the said J. Mease to be accountable:

That a warrant issue on the treasurer in favour of David Mosely, for two hundred dollars, advanced him on account of his wages, printing the bills of exchange.

Resolved, That where accounts of back rations are presented to the auditors of the army, which, from death or distant removal, cannot be certified by the issuing commissaries, the auditors be impowered to settle such back rations

rations upon the oath of the party and ſuch other evidence as the circumſtances of the caſe will admit.

Reſolved, That any perſon who has been or ſhall be appointed a brigade chaplain, and previous to his appointment ſhall have acted in that capacity, be allowed for the time of ſuch ſervice, after the date of the certificate of the brigadier or colonel commandant of his brigade, to Congreſs recommending him to the ſaid office, the pay and rations or ſubſiſtance of ſuch a chaplain, deducting the ſums received as regimental chaplain.

Reſolved, That each auditor of the army be hereafter allowed for ſubſiſtance one ration per day and fifty dollars per month:

That the auditors of each army be authoriſed to augment the pay of their clerks to a ſum not exceeding ſeventy dollars per month.

Congreſs proceeded to the election of an auditor of accounts at the main army, and the ballots being taken,

James Johnſton, eſquire, was elected.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to meſſieurs Furedge, Spanganberg, Miller, Shultz and Shultz, for their ſervices the 6th of laſt month, forty dollars:

That there is due to Hynman Taylor, for making two chair ſeats for the uſe of Congreſs, twenty-ſeven dollars and 30-90ths:

Ordered, That the ſaid accounts be paid.

Congreſs took into conſideration ſundry reports from the board of war, and thereupon came to the following reſolutions:

Whereas general Waſhington hath required that the continental troops in Philadelphia be ſent to join the main army, and that they be replaced by the city militia;

Reſolved, That the ſupreme executive council of the ſtate of Pennſylvania be requeſted to call out immediately three hundred of the militia of the ſtate, to ſerve as guards in the city of Philadelphia, and perform ſuch other military ſervices as may be required of them.

Reſolved, That the artillery regiment raiſed in Pennſylvania, commanded by colonel Thomas Procter, be conſidered as part of the quota of troops to be furniſhed by

that

that ſtate, which is to be credited for the men now in the regiment, and alſo for any who ſhall be hereafter recruited therein; and that the government of ſaid ſtate be requeſted to furniſh colonel Procter with the ſtate bounty, to enable him to fill up the regiment to its complement of men:

That the committee of arrangement be directed to conſider the ſtate of the officers of the ſaid regiment, and regulate the ſame in the manner and according to the rules adopted by them with reſpect to other artillery regiments.

Reſolved, That a new corps of troops be raiſed by the name of the German Volunteers, to conſiſt of ſuch deſerters from the foreign troops, which have been or ſhall be in the ſervice of the King of Great-Britain, as ſhall be diſpoſed freely to inliſt therein:

That this corps be inliſted to ſerve for three years or during the war, and receive the uſual bounty and cloathing allowed to the troops in the ſervice of the United States:

That each non-commiſſioned officer and ſoldier who ſhall enliſt in the ſaid corps, and bring with him the ſeveral articles of cloathing enumerated in a reſolve of Congreſs, paſſed the 6th day of September, 1777, and ſufficient for one year's ſervice, ſhall receive for the ſame the ſum of fifty-ſix dollars, and ſo in proportion of any part of ſuch cloathing at the rates there fixed; the money allowed for ſuch cloathing to be paid by the cloathier general or one of his deputies, who ſhall charge the articles ſo paid for as cloathing iſſued to the corps:

That lieutenants Fearer and Kleinſmit have for the preſent the pay of captains in the ſervice of the United States, and be impowered to inliſt the deſerters aforeſaid, preferring ſuch as they can induce to leave the ſervice of the enemy; and that captains commiſſions be granted them, provided that within three months from this 3d day of September each ſhall have inliſted at leaſt thirty men:

That major Klein be appointed lieutenant colonel of the corps of German Volunteers.

Reſolved, That lieutenant Charles Juliat be permitted to ſerve as a volunteer in the infantry of general Pulaſki's legion, and have the pay and ſubſiſtance of a lieutenant for his ſupport:

That

That Mr. Girard be appointed to the rank of lieutenant of dragoons by brevet, and be permitted to join the army under general Washington as a volunteer, he having agreed to serve in that capacity at his own expence.

Resolved, That the intended expedition against the Senecas and other hostile tribes of the northern Indians, mentioned in the resolution of Congress of the 11th of June last, be for the present laid aside:

That general Washington be directed to pursue such practicable measures for the defence of the frontiers of the states exposed to the incursions of the northern Indians, as to him shall seem best adapted to present circumstances, calculated to check the ravages of the enemy, and to protect the distressed inhabitants of the said frontiers.

Resolved, That Samuel Ashe, esquire, take rank as captain of the first troop of North-Carolina dragoons, from the 7th of May, 1777:

That Benjamin Mills, esquire, take rank as lieutenant in the same troop, from July 15th, 1777:

That William Buford take rank as ensign in the same troop, from July 16th, 1777:

And that commissions be granted to them accordingly.

Ordered, That the report from the board of war, on the representation of colonel George Morgan, be re-committed:

That the report of the board of war, respecting major Mullens, be referred to the board of treasury.

Resolved, That till the first day of November next Congress meet every morning at nine o'clock, and adjourn at one o'clock, unless all the members present shall consent to continue sitting; and every afternoon, Wednesdays and Saturdays excepted, meet at three and adjourn at six o'clock, unless it shall be determined by a majority to continue sitting; provided always, that there shall be no debate on the question for adjournment.

A motion being made on "the requisition of the earl "of Carlisle, sir Henry Clinton, and William Eden, re- "specting the troops lately serving under lieutenant ge- "neral Burgoyne," relative to the removal of the said troops from their present place of confinement:

Ordered, That the consideration thereof be postponed till three o'clock to-morrow.

Adjourned to nine o'clock to-morrow.

FRIDAY,

FRIDAY, *September* 4, 1778.

The committee on the treaſury brought in a report; whereupon

Reſolved, That any regimental officer, who has been or ſhall be ordered by the commander in chief or commanding officer of any department on buſineſs not incidental to his office and diſtant from Camp, be allowed, for the expence of himſelf and horſe, three dollars a day whilſt neceſſarily employed on ſuch ſervice.

The committee to whom was referred the letter of Auguſt 26th from the board of war, relative to the expence of fitting up Mr. Dickinſon's houſe for the reſidence of monſieur Gerard, report, That they have waited on Mr. Dickinſon, who ſhewed them a contract entered into between him and the board of war, whereby it appears that the repairs are to be at the expence of the United States: whereupon

Reſolved, That the committee be diſcharged.

On motion,

Reſolved, That the committee of commerce do, with all convenient ſpeed, prepare and report to Congreſs a ſtate of the debts and contracts of the United States, and an eſtimate of the ſums neceſſary to fulfil and diſcharge ſuch debts and contracts:

That the committee be impowered to employ ſuch perſons and call for ſuch accounts and papers as may be neceſſary for the purpoſes above mentioned:

That the members of the ſecret committee, now preſent, be a committee to cloſe the accounts of that committee, and deliver them to the committee of commerce, and that the ſaid members be authoriſed to employ proper perſons for adjuſting and cloſing the accounts of the ſecret committee.

The committee of commerce laid before Congreſs an invoice of ſundry articles ſhipped on board the French tartan la Cères, captain Claude Icard, by order of the late Thomas Morris, eſquire, of Philadelphia, and conſigned to William Bingham, eſquire, in Martinique, for account and riſque of the United States, amounting to 14437,15,1 French money:

Ordered, That the committee of commerce liquidate and pay the ſaid account.

Congreſs being informed that the books and papers of Thomas Morris, late commercial agent of the United States

States in France, are depoſited with the commiſſioners at the court of France, or ſome of them; and the honourable Robert Morris, eſquire, ſurviving partner and adminiſtrator of the deceaſed, applying to this houſe to cauſe the ſame to be delivered to him, ſo that he may proceed to a ſettlement of the eſtate, &c.

Ordered, That the commiſſioners or commiſſioner, who ſhall be poſſeſſed of the ſaid books and papers when this order arrives, deliver the ſame, both public and private, to the ſaid Robert Morris or to his order.

A letter of the 1ſt from I. Murray to Mr. Robert Morris was laid before Congreſs and read:

Ordered, That it be referred to the board of war.

A letter of this day from Mr. J. Nourſe was read, requeſting leave to reſign his office of ſecretary to the board of ordnance and paymaſter to the board of war and ordnance:

Ordered to lie on the table for conſideration.

Three o'clock, P. M.

A letter of the 1ſt from general Waſhington was read, incloſing a copy of a letter of Auguſt 29th from major general Sullivan, on the north end of Rhode-Iſland, giving an account of an action with the enemy on the ſaid 29th:

Ordered, That the letter from major general Sullivan be referred to the committee of intelligence.

Reſolved, That the committee of arrangement, to whom the letter of June the 11th from the council of war of Rhode-Iſland was referred, be diſcharged from proceeding thereon, and that the letter be referred to a committee of three;

The members choſen Mr. Hoſmer, Mr. S. Adams and Mr. R. H. Lee.

According to order Congreſs took into conſideration the motion on the requiſition made by the earl of Carliſle, ſir Henry Clinton and William Eden, reſpecting the troops of the convention of Saratoga, which was read as follows:

Whereas Congreſs did on the 8th day January, 1778, reſolve that the embarkation of lieutenant general Burgoyne and the troops under his command be ſuſpended till a diſtinct and explicit ratification of the convention of Saratoga ſhall be properly notified by the court of Great-Britain to Congreſs:

Reſolved,

Resolved, That no ratification of the convention of Saratoga, which may be tendered in consequence of powers, which only reach that case by construction and implication, or which may subject whatever is transacted relative to it to the future approbation or disapprobation of the (crown or) parliament of Great Britain, can be accepted by Congress.

An amendment was moved to strike out the words "crown or," and the yeas and nays being required by Mr. Duer,

New Hampshire,	Mr. Bartlett,	*ay*	*ay*
Massachusetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Island,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Hosmer,	*ay*	*ay*
	Mr. A. Adams,	*ay*	
New-York,	Mr. Lewis,	*ay*	*no*
	Mr. Duer,	*no*	
	Mr. G. Morris,	*no*	
New-Jersey,	Mr. Witherspoon,	*ay*	*ay*
Pennsylvania,	Mr. Roberdeau,	*ay*	*ay*
Delaware,	Mr. M'Kean,	*ay*	*ay*
	Mr. Vandyke,	*ay*	
Maryland,	Mr. Chase,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Forbes,	*ay*	
	Mr. Henry,	*no*	
Virginia,	Mr. Harvie,	*no*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*no*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*ay*	
	Mr. Langworthy,	*ay*	

So it was resolved in the affirmative.

Another amendment was moved, After the recital of the resolution of the 8th of January to add "and notwithstanding a requisition hath been made of the said troops, yet no such ratification hath been notified as aforesaid;"

and in lieu of the reſolution moved, To inſert "therefore reſolved, that the ſaid troops be ſtill detained, agreeably to the ſaid reſolution;" and the yeas and nays being required by Mr. G. Morris,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*no*
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. A. Adams,	*ay*	*ay*
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*no*	
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
Delaware,	Mr. M'Kean,	*no*	*no*
	Mr. Vandyke,	*no*	
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Plater,	*no*	
	Mr. Forbes,	*ay*	
	Mr. Henry,	*no*	
Virginia,	Mr. Harvie,	*no*	*no*
	Mr. R. H. Lee,	*ay*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
Georgia,	Mr. Walton,	*no*	*no*
	Mr. Telfair,	*no*	
	Mr. Langworthy,	*no*	

So it paſſed in the negative.

A motion was then made in lieu of the whole to ſubſtitute as follows;

Whereas on the 8th of January, 1778, Congreſs by their reſolve, for good and ſufficient cauſes therein ſpecified, ſuſpended the embarkation of the troops of the convention of Saratoga, under the command of lieutenant general Burgoyne, until the ratification of the convention of Saratoga by the court of Great Britain ſhould be duly notified to Congreſs: and whereas on the 26th of Auguſt the earl of Carliſle, ſir Henry Clinton and William Eden, eſquire, reciting their authority, did make a remon-

ſtrance to Congreſs, offering to ratify the ſaid convention, and requiring permiſſion for the ſaid troops to embark in purſuance of the ſaid convention: and whereas the ſaid ratification would be ſubject to the future ratification of the Britiſh parliament, without which it would be of no validity: therefore reſolved, that Congreſs will abide by their demand of a ratification by the court of Great-Britain, duly notified to Congreſs; and therefore that the ſaid requiſition be not complied with.

Queſtion put,

Paſſed in the negative.

The main queſtion, as amended, being put,

Reſolved in the affirmative.

Adjourned to nine o'clock to-morrow.

SATURDAY, *September* 5, 1778.

A letter of the 4th from John Berkenhout was read:

Ordered to lie on the table.

The committee to whom was referred the letter of Auguſt 13th from governor Caſwell to Mr. Penn, brought in a report; whereupon

Reſolved, That a warrant iſſue on the treaſurer for four hundred thouſand dollars, in favour of the delegates of the ſtate of North-Carolina, on an application of the governor of that ſtate, for the purpoſe of raiſing, equipping and marching the men voted by the ſaid ſtate to compleat their continental battalions; the ſaid ſtate to be accountable:

Ordered, That the conſideration of the remainder of the report be poſtponed.

A letter of the 4th from H. Hollingſworth, deputy quartermaſter general at the Head of Elk, directed to the board of war, was laid before Congreſs and read:

Ordered, That the conſideration thereof be poſtponed to Monday next.

Congreſs reſumed the conſideration of the report of the committee on the arrangement of the treaſury, and after ſome time ſpent thereon,

Ordered, That the further conſideration thereof be poſtponed.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the marine committee, for twenty thouſand dollars, for

for the uſe of the navy board in the middle diſtrict; the ſaid committee to be accountable.

Reſolved, That five million of dollars be emitted under the direction of the board of treaſury, and on the faith of the United States:

That the bills ſhall, excepting the numbers, be of the ſame tenor and date as the emiſſion directed on the 11th of April laſt, and be numbered from the laſt number of each denomination progreſſively, and conſiſt of the following denominations, viz.

41667	bills of 40 dollars	-	1,666,680
41667	- 30 -	-	1,250,010
41666	- 20 -	-	833320
41666	- 8 -	-	333328
41666	- 7 -	-	291662
41667	- 6 -	-	250002
41666	- 5 -	-	208330
41667	- 4 -	-	166668
			5,000,000

Adjourned to nine o'clock on Monday.

MONDAY, *September* 7, 1778.

A letter of the 4th from general Waſhington, and one of Auguſt 31ſt from major general Sullivan, at Tiverton, giving an account of his retreat to the main the preceding evening, without any loſs of men or ſtores, were read:

Ordered, That general Sullivan's letter be referred to the committee of intelligence.

A letter of this day from major general Arnold was read:

Ordered, That it be referred to a committee of five;

The members choſen Mr. R. H. Lee, Mr. S. Adams, Mr. R. Morris, Mr. Duer and Mr. Chaſe.

An appeal from the judgment of a court of admiralty for the ſtate of Connecticut, on a libel "David Brooks, &c. verſus ſchooner Hope, &c." was lodged with the ſecretary and referred to the committee on appeals.

Three o'clock, P. M.

A letter of the 3d from the committee of arrangement at Camp was read:

Ordered, That it be referred to the board of war.

A letter

A letter of the 4th from major general Lee was read, incloſing the evidence of major Clark, touching his trial, which he entreats may be laid before Congreſs:

Ordered, That the evidence incloſed in general Lee's letter be not read, but returned to major general Lee.

A letter of this day from captain N. Falconer was read, informing that it is not in his power to act as a member of the navy board in the middle diſtrict.

Reſolved, That to-morrow be aſſigned to elect a commiſſioner of the navy board in the middle diſtrict, in the room of captain Falconer.

A letter of Auguſt 28th from doctor J. Forſter, deputy director general of the hoſpitals in the eaſtern department, was read:

Ordered, That it be referred to the medical committee.

A letter of Auguſt 28th from governor Greene, of Rhode-Iſland, was read.

An extract from the minutes of the general aſſembly of Pennſylvania was read, directing the delegates of that ſtate to apply for a ſum of money to pay for cloathing purchaſed for the continental troops:

Ordered, That it be referred to the board of treaſury.

Adjourned to nine o'clock to-morrow.

TUESDAY, *September* 8, 1778.

A letter of Auguſt 30th from major general Heath was read, incloſing a petition from William de Paſſern, major of the regiment of Heſſe Hanau, of the convention troops, requeſting permiſſion to go Europe on parole: whereupon

It was moved, That major William de Paſſern be permitted to go to Europe on his parole, not to act againſt the United States or their allies until releaſed or exchanged, according to the convention of Saratoga:

On which the yeas and nays being required by Mr. James Smith,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts Bay,	Mr. Lovell,	*no*	•
	Mr. Holten,	*no*	
Rhode Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. A Adams,	*no*	*no*
New-York,	Mr. Lewis,	*no*	*ay*
	Mr. Duer,	*ay*	
	Mr. G. Morris,	*ay*	

Pennſylvania,

Pennſylvania,	Mr. R. Morris,	*no*	
	Mr. Roberdeau,	*no*	*no*
	Mr. J. Smith,	*no*	
Delaware,	Mr. Vandyke,	*no*	*no*
Maryland,	Mr. Forbes,	*ay*	*
Virginia,	Mr. Harvie,	*ay*	
	Mr. R. H. Lee,	*ay*	*ay*
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Harnett,	*no*	*
South-Carolina,	Mr. Laurens,	*no*	*divided*
	Mr. Drayton,	*ay*	
Georgia,	Mr. Telfair,	*no*	*no*
	Mr. Langworthy,	*no*	

So it paſſed in the negative.

A letter of Auguſt 29th from major general Heath was read, reſpecting ſupplies for count d'Eſtaing's fleet:

Ordered, That it be referred to the marine committee.

Mr. Duer laid before Congreſs an extract of a letter from Maryland:

Ordered, That the ſame, together with the letter of the 4th from colonel Hollingſworth, and the memorial of Auguſt 31ſt from E. Blaine, deputy commiſſary general of purchaſes, be referred to a committee of four;

The members choſen Mr. R. Morris, Mr. Duer, Mr. R. H. Lee, and Mr. Marchant.

Two letters of the 5th from Stephen Steward, to the committee of commerce, were read:

Ordered, That they be referred to the committee of commerce, and that the committee report thereon.

A letter of the 8th from John Peers, maſter of the Mermaid, was read:

Ordered, That it be referred to the marine committee.

A letter of the 4th from general Waſhington was read, with ſundry papers incloſed:

Ordered, That ſo much of the ſaid letters as relates the laying up of magazines to the eaſtward of Hudſon's river, be referred to the committee on the letter from colonel Holingſworth and memorial of colonel Blaine.

A motion being made to impower the general, if he finds it neceſſary, to give an additional bounty of ten dollars to recruits inliſting for three years or during the war:

It was moved to add,

And

And that ſuch additional bounty be at the expence of and charged to ſuch of the ſtates as have been deficient in procuring the quotas according to ſuch deficiency.

On which amendment the previous queſtion being called for, and the yeas and nays being required by Mr. Chaſe,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. Lovell,	*ay*	*
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. A. Adams,	*no*	*no*
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
Pennſylvania,	Mr. Robertdeau,	*ay*	*divided*
	Mr. James Smith,	*no*	
Delaware,	Mr. Vandyke,	*no*	*no*
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Forbes,	*no*	
Virginia,	Mr. Harvie,	*no*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
Georgia,	Mr. Telfair,	*ay*	*ay*

So it was reſolved in the affirmative, and the amendment was ſet aſide.

Reſolved, That general Waſhington be authoriſed, if he ſhall judge it for the intereſt of the United States, to augment the continental bounty to recruits inliſting for three years or during the war, to a ſum not exceeding ten dollars, and that he uſe his diſcretion in keeping the matter ſecret as long as he ſhall deem neceſſary, and in applying the augmentation of bounty, as circumſtances may require.

Ordered, That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for eighty thouſand dollars, to be by him tranſmitted to W. Palfrey, eſquire, paymaſter general, for the purpoſe of inliſting recruits for the continental ſervice.

Reſolved,

Resolved, That so much of the general's letter as relates to cloathing be referred to the board of war, and that the board be directed to make use of the most vigorous exertions for transporting to Camp the ready made cloathing stored in the eastern states, and in procuring and forwarding to the army such a number of blankets as in their opinion will be necessary to make up the deficiency of blankets already imported or purchased on account of the United States:

That the states of New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut and New-York, be desired, when applied to by the board of war, to afford every assistance in their power in causing to be made up the linen and other cloathing imported into the eastern states for the continental army.

Ordered, That the memorial of the reverend John Peter Tetard, inclosed in the general's letter, be referred to a committee of three;

The members chosen Mr. Duer, Mr. Harvie and Mr. Lovell.

A letter of this day from S. Deane, esquire, was read:

Ordered to lie on the table till to-morrow.

Three o'clock, P. M.

Resolved, That those members of the board of treasury, whose state may be represented in Congress without their personal attendance, be requested to attend at the treasury board every forenoon, until the further order of Congress.

Congress resumed the consideration of the report of the committee on the arrangement of the treasury; whereupon

It was moved, That the report of the board of treasury of the 15th of April last, be substituted in lieu of the report of the committee:

Question put,

Passed in the negative.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *September* 9. 1778.

A letter of August 26th from count d'Estaing was read:

Ordered, That it be referred to a committee of four, and that they be directed to prepare an answer;

The members chosen Mr. R. H. Lee, Mr. S. Adams, Mr. G. Morris and Mr. Lovell.

A letter

A letter of this day from John and Alexander Wilcox was read: whereupon

Ordered, That the report of the committee appointed, in conjunction with a committee of the council of Pennſylvania, to aſcertain the property of goods, wares and merchandize, in poſſeſſion of the inhabitants of the city of Philadelphia, at the time it was evacuated by the enemy, be taken into conſideration on Tueſday next.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, for ſeven thouſand dollars, and another warrant on the treaſurer for twenty-three thouſand dollars, in favour of William Henry, eſquire, employed in the buſineſs of the armoury and to purchaſe leather, accoutrements and ſhoes; to enable him to carry on his purchaſes; which ſums are advanced on a certificate of the board of war, and to be charged to the account of the ſaid W. Henry:

That a warrant iſſue on the treaſurer in favour of the marine committee, for twenty thouſand dollars, to be by them tranſmitted to meſſieurs Maxwell and Loyal, agents for building of frigates in Virginia, to enable them to go on with the building of one of the frigates, and pay off debts already contracted on account of the ſaid frigates: the ſaid committee to be accountable:

That a warrant iſſue on the treaſurer in favour of Mr. J. Bartlett, one of the delegates from the ſtate of New-Hampſhire, for fifteen hundred dollars, advanced on his application; for which the ſaid ſtate is to be accountable.

The board of treaſury, to whom was referred the letter of the 29th of Auguſt from the board of war, incloſing a letter and ſundry papers from lieutenant colonel Mullens, relative to the ſettlement of his accounts, report,

That, upon reviſing colonel Mullen's account, they find it was ſettled, upon juſt principles, that he can have no claim of right to receive, in a bill of exchange on France, the ſum there reported to be paid by a warrant on the treaſurer; and that he apply for the payment of a horſe ſhot under him agreeably to the reſolution of Congreſs of the 12th day of Auguſt laſt:

Reſolved, That Congreſs agree to the ſaid report.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports, That

That there is due to William Kinnon, for printing bills of exchange and loan-office certificates, his pay and boarding, from the 9th of March to the 31ſt of Auguſt, 1778, incluſive, the ſum of ſix hundred and twenty-eight dollars and 58-90ths:

That there is due to Henry Miller, for printing in German ſix thouſand one hundred copies of propoſals intended to be conveyed to foreign officers and ſoldiers in the Britiſh ſervice in 1776, twenty dollars:

That there is due to Belcher P. Smith, his pay as clerk in the ſecretary's office, from the 6th of February to the 5th of September, 1778, five hundred and ninety-five dollars, and for blank books and other contingencies of the office, ſixty-three dollars and 30-90ths, making in the whole ſix hundred and fifty-eight dollars and 30-90ths:

Ordered, That the ſaid accounts be paid.

On motion,

Reſolved, That the retreat made by major general Sullivan, with the troops under his command, from Rhode-Iſland, was prudent, timely and well conducted, and that Congreſs highly approve the ſame.

Reſolved, That the thanks of Congreſs be given to major general Sullivan and to the officers and troops under his command, for their fortitude and bravery, diſplayed in the action of Auguſt 29th, in which they repulſed the Britiſh forces and maintained the field.

Reſolved, That Congreſs have a high ſenſe of the patriotic exertions made by the four eaſtern ſtates on the late expedition againſt Rhode Iſland.

Reſolved, That Mr. Preſident be requeſted to inform the marquis de la Fayette, that Congreſs have a due ſenſe of the ſacrifice he made of his perſonal feelings in undertaking a journey to Boſton with a view of promoting the intereſt of theſe ſtates, at a time when an occaſion was daily expected of his acquiring glory in the field, and that his gallantry in going on Rhode Iſland when the greateſt part of the army had retreated, and his good conduct in bringing off the pickets and out ſentries, deſerves their particular approbation.

Reſolved, That major Morris, aid de camp to major general Sullivan, who brought forward to Congreſs the account of the repulſe of the Britiſh forces on Rhode-Iſland on the 29th of Auguſt, and who, on the late expedition as well as on ſeveral other occaſions, behaved with great

ſpirit and good conduct, be promoted to the rank of a lieutenant colonel by brevet.

A motion was made to re-conſider the reſolution, approving the retreat from Rhode-Iſland:

Queſtion put,

And the yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. A. Adams,	*no*	*no*
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
Pennſylvania,	Mr. R. Morris,	*no*	*no*
	Mr. Roberdeau,	*no*	
	Mr. J. Smith,	*no*	
Delaware,	Mr. Vandyke,	*no*	*no*
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Plater,	*no*	
	Mr. Forbes,	*no*	
	Mr. Henry,	*no*	
Virginia,	Mr. Harvie,	*no*	*no*
	Mr. R. H. Lee,	*no*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*ay*	
Georgia,	Mr. Telfair,	*no*	*no*

So it paſſed in the negative.

It was then moved,

That an enquiry be made into the cauſes of the failure of the late expedition againſt Rhode-Iſland, agreeably to the reſolution of Congreſs of November 28th, 1777, and that general Waſhington be directed to cauſe this enquiry to be made as ſoon as it can be conveniently done, and tranſmit the proceedings of the court to Congreſs:

The previous queſtion was moved,

And the yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-			

Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. A. Adams,	*ay*	*ay*
New-York,	Mr. Lewis,	*no*	*no*
	Mr. Duer,	*no*	
Pennſylvania,	Mr. R. Morris,	*no*	*ay*
	Mr. Roberdeau,	*ay*	
	Mr. James Smith,	*ay*	
Delaware,	Mr. Vandyke,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Forbes,	*no*	
	Mr. Henry,	*ay*	
Virginia,	Mr. Harvie,	*ay*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*no*	
Georgia,	Mr. Telfair,	*ay*	*ay*

So it was carried, and the main queſtion ſet aſide.

Adjourned to nine o'clock to-morrow.

THURSDAY, *September* 10, 1778.

A letter of the 8th from George Cottnam, captain lieutenant in the firſt Pennſylvania regiment of artillery, was read, requeſting leave, on account of his impaired conſtitution, to reſign his commiſſion:

Reſolved, That his reſignation be accepted.

A letter of the 7th from general Waſhington was read.

Ordered, That it be referred to the board of war.

A letter of the 7th from the committee of arrangement was read; whereupon

Congreſs proceeded to the election of a commander of the horſe, and the ballots being taken,

John Cadwallader, eſquire, was unanimouſly elected.

Reſolved, That a commiſſion be granted to John Cadwallader, eſquire, appointing him brigadier and commander of the cavalry in the ſervice of the United States.

A letter of the 27th and 31ſt of Auguſt from governor Trumbull was read: *Ordered*,

Ordered, That it be referred to the board of war.

On motion,

Ordered, That the paper ſigned Adam Ferguſon, dated Auguſt 26th, and the papers tranſmitted with it, and alſo the reſolution of Congreſs of the 4th inſtant, reſpecting the convention of Saratoga, be publiſhed.

Reſolved, That a committee of five be appointed to confer with the honourable the miniſter plenipotentiary of France, reſpecting the future operations of the French fleet under the command of count d'Eſtaing, and report to Congreſs;

The members choſen Mr. R. H. Lee, Mr. Drayton, Mr. S. Adams, Mr. Duer and Mr. R. Morris.

The committee to whom was referred the letter of Auguſt 26th from count d'Eſtaing, brought in the draught of an anſwer, which was read and agreed to:

Ordered, That it be ſigned and forwarded by the preſident to count d'Eſtaing.

Congreſs reſumed the conſideration of the report of the committee on the arrangement of the board of treaſury, and after ſome time ſpent thereon, the further conſideration thereof was poſtponed to the afternoon.

Three o'clock, P. M.

A letter of this day from the chevalier de Fayolle was read:

Ordered, That it be referred to the board of war.

Congreſs reſumed the conſideration of the report of the committee on the arrangement of the treaſury, and after ſome time ſpent thereon,

Ordered, That the farther conſideration thereof be poſtponed.

A letter of the 2d from major general Sullivan was read:

Ordered, That it be referred to the board of war.

The committee on the letter from colonel Hollingſworth, and the memorial from E. Blaine, brought in a partial report and deſired leave to ſit again:

Ordered, That the report be taken into conſideration to-morrow, and that the committee have leave to continue to ſit on the buſineſs.

Ordered, That Mr. Hoſmer have leave of abſence.

Adjourned to nine o'clock to-morrow.

FRIDAY,

FRIDAY, *September* 11, 1778.

A letter of this day from J. M'Kinley, eſquire, and an extract from the minutes of the privy council of the ſtate of Delaware, were read.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to the officers and privates of colonel Nicola's regiment of invalids, their pay for the month of July laſt, and ſubſiſtance in lieu of rations for the officers for the ſame time, nine hundred and forty dollars and 80-90ths:

That there is due to Thomas Fitzſimmons, his pay as commiſſioner of claims from April 12th to Auguſt 27th, 1777, five hundred and forty-eight dollars:

That there is due to William Dodd, for his ſervice as expreſs rider, from October 3d, 1776, to October 31ſt, 1777, as more fully appears by a particular ſtate, filed with his account, a balance of three hundred and ſeventy dollars and 30-90ths:

That there is due to the reverend monſieur Lotbinier, his pay and ſubſiſtance as chaplain to colonel Livingſton's regiment, from the 11th of Auguſt to the 10th of September, incluſive, ſixty dollars:

Ordered, That the ſaid accounts be paid.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, for twenty thouſand dollars, and another on William Armiſtead, eſquire, commiſſioner of the continental loan-office in the ſtate of Virginia, for thirty thouſand dollars, in favour of colonel Baylor, being for the purchaſe of arms, horſes and accoutrements for the uſe of the armies of the United States; for which ſums, amounting to fifty thouſand dollars, the ſaid colonel Baylor is to be accountable;

That a warrant iſſue on the treaſurer in favour of colonel John Cox, aſſiſtant quartermaſter general, for three million five hundred thouſand dollars, for the uſe of the quartermaſter general's department, and for which major general Greene, quartermaſter general, is to be accountable:

That a warrant iſſue on the treaſurer for three millions of dollars, in favour of Jeremiah Wadſworth, eſquire, commiſſary

commiſſary general of purchaſes, for the uſe of his department, and for which he is to be accountable:

That a warrant iſſue on the treaſurer in favour of Joſeph Hewes, for one thouſand dollars, in diſcharge of a bill drawn by John Aſhe, eſquire, treaſurer of the ſtate of North-Carolina, in favour of John Eaſton, dated May 9, 1777, for that ſum, being in part of the five hundred thouſand dollars heretofore granted by Congreſs for the uſe of that ſtate, and for which the ſaid ſtate is to be accountable:

That a warrant iſſue on the treaſurer in favour of Joſeph Hewes, for ſix hundred and ſixty-ſeven dollars and 45-90ths, in diſcharge of a bill drawn by Richard Caſwell, eſquire, governor of the ſtate of North-Carolina, in favour of Joſeph Leech, eſquire, for that ſum, dated June 19th, 1777, expreſſed to be for value received of him in part of the expence of horſes, carriages and other neceſſaries furniſhed brigadier du Portail, under the character of colonel d'Erford and his party, to enable them to proſecute their journey from North-Carolina to the continental Congreſs; and for which the ſaid brigadier du Portail is to be accountable:

That a warrant iſſue on the treaſurer in favour of Mr. E. Gerry, one of the delegates of the ſtate of Maſſachuſetts-Bay, for one thouſand two hundred dollars, advanced upon his application; for which the ſaid ſtate is to be accountable.

Reſolved unanimouſly, That it is eſſential to the intereſt and honour of theſe United States that a miniſter plenipotentiary be, without delay, appointed to repreſent theſe ſtates at the court of France.

Reſolved unanimouſly, That to-morrow be aſſigned for electing a miniſter plenipotentiary at the court of France.

Congreſs took into conſideration the report of the committee on the letter from colonel Hollingſworth, and memorial from colonel E. Blaine, and thereupon came to the following reſolutions:

Whereas Congreſs, by their reſolution of the 13th of January, made a requiſition to general ſir William Howe, then commander in chief of his Britannic Majeſty's forces in America, for paſſports to American veſſels to tranſport proviſions and fuel for the uſe of the priſoners of the convention at Boſton, declaring at the ſame time, that, if the ſaid requiſition was not complied with, the priſo-

ners

ners under the convention ſhould be removed to ſuch parts of the ſtate of Maſſachuſetts-Bay as they could be moſt conveniently ſubſiſted in; which requiſition hath not been complied with, nor meaſures adopted on the part of the Britiſh general, to ſend timely and ſufficient ſupplies for the uſe of the ſaid troops; whereby great injury has been ſuſtained by the United States; and particularly by the inhabitants of the town of Boſton:

Reſolved, That major general Heath, with the concurrence of the council of the ſtate of Maſſachuſetts-Bay, be authoriſed to remove the priſoners under the convention of Saratoga to ſuch parts of the ſtate of Maſſachuſetts-Bay as they can be moſt conveniently ſubſiſted in.

Reſolved, That application be made to ſir Henry Clinton for paſſports to American veſſels to tranſport proviſions and fuel to Boſton for the uſe of the priſoners under the convention of Saratoga; the ſaid paſſports to be ſubject to ſuch reſtrictions as ſhall be agreed on between the generals Waſhington and ſir Henry Clinton; and that general Waſhington be directed to inform general Clinton that if ſuch paſſports be not granted, within three days after application made, or meaſures adopted by him for ſending to the port of Boſton ample ſupplies of proviſion and fuel for the convention priſoners, on or before the 5th day of October, Congreſs will deem themſelves juſtified in removing the ſaid priſoners to ſuch parts of the United States as they can be beſt ſubſiſted in.

Ordered, That certified copies of this reſolution, and of the reſolution of the 13th of January laſt, and of the 4th inſtant, relative to the troops of the convention of Saratoga, be tranſmitted to general Clinton.

Reſolved, That the meaſures recommended by general Waſhington, of forming magazines at convenient places, diſtant from the ſound, in the ſtate of Maſſachuſetts-Bay and Connecticut, is expedient:

That general Waſhington be informed that Congreſs have given orders for the purchaſe of twenty thouſand barrels of flour, to be tranſported by water for that purpoſe; and that he be authoriſed and directed to fix on the places where the ſaid magazines ſhall be eſtabliſhed, and to give the neceſſary orders to the quartermaſter general and commiſſary general for carrying this reſolution into execution.

Reſolved, That it be ſubmitted to the conſideration of general Waſhington, Whether a conſiderable part of the cavalry

cavalry now in the army can, in the preſent ſeat of the war, be employed with an utility adequate to the great expence and difficulty which occur in ſupplying them with forage; and if he ſhall be of opinion that the duty of the whole or any part of them may be diſpenſed with at Camp, that he be directed to order ſuch of the cavalry as he ſhall deem proper to ſuch parts of theſe ſtates as they can be beſt ſubſiſted in:

That all officers of the army, not authoriſed by the reſolutions of Congreſs or by the ſpecial permiſſion of the commander in chief to keep horſes, be prohibited, though at their own expence, from keeping any horſe or horſes within forty miles of the main body of the army, and that general Waſhington be deſired to appoint proper officers to ſee this order carried into ſtrict execution, and to bring to trial all offenders againſt it.

Whereas Congreſs have received information that ſeveral perſons in the ſtate of Maryland have eluded the embargo on proviſions, by loading ſtores on board veſſels, and obtaining a clearance on tobacco:

Reſolved, That it be earneſtly recommended to the governor and council of the ſtate of Maryland to take meaſures for preventing the embargo being eluded, by this and ſuch other practices, which in the opinion of Congreſs, are highly injurious to the general welfare.

The delegates from Delaware laid before Congreſs a letter of the 8th from Cæſar Rodney, eſquire, preſident of the ſtate of Delaware, with ſundry papers incloſed relative to a complaint againſt count Pulaſki:

Ordered, That the ſame be referred to the committee directed to enquire into the ſtate of the legion commanded by count Pulaſki.

Congreſs took into conſideration the report of the committee appointed, in conjunction with a committee of the council of Pennſylvania, to aſcertain the property of goods, wares and merchandize, in poſſeſſion of the inhabitants of the city of Philadelphia at the time it was evacuated by the enemy, and after ſome time ſpent thereon,

Ordered, That the farther conſideration thereof be poſtponed.

Three o'clock, P. M.

A letter of the 5th from baron Steuben was read:

Ordered, That it be referred to the board of war.

Congreſs

Congreſs took into conſideration the report of the committee on the memorial of captain Harper, and after ſome time ſpent thereon,

Ordered, That the further conſideration thereof be poſtponed.

Adjourned to nine o'clock to-morrow.

SATURDAY, *September* 12, 1778.

A letter of this day from Mr. Reſolve Smith was read:

Ordered, That it be referred to the committee appointed to prepare a manifeſto on the injurious treatment our priſoners and faithful citizens receive from the enemy, and that the committee be directed to confer with Mr. R. Smith, and report reſpecting him.

Reſolved, That Mr. Drayton be added to the committee appointed to confer with major general Arnold:

That Mr. Chaſe be added to the committee appointed to confer with the miniſter of France.

A letter of the 2d from major general Heath, at Boſton, was read, informing of the enemy's fleet appearing off that harbour.

On motion,

Reſolved, That captain Nathaniel Falconer be appointed a ſuperintendant of the preſſes for ſtriking bills of credit, bills of exchange, and loan-office certificates, in addition to thoſe already elected.

The committee on the letter from colonel Hollingſworth, and the memorial from colonel E. Blaine, brought in a further report; whereupon

Reſolved, That the quartermaſter general be directed to order the commiſſary of forage to give immediate directions to his deputies and aſſiſtants not to purchaſe any wheat for forage, except in the vicinity of Camp, unleſs in caſes of abſolute neceſſity; and when ſuch caſes ariſe, that the reaſons for deviating from this order be tranſmitted to the commiſſary of forage, and by him ſubmitted to the opinion of the quartermaſter general.

Reſolved, That the commiſſary general of purchaſes be directed to give orders to his deputies and aſſiſtants forthwith to deliver to the commiſſary of forage and his deputies the bad wheat and offals of wheat, which they at preſent have or may hereafter have in their reſpective poſſeſſions; and further, that the ſaid commiſſary general iſſue orders to the purchaſers to be careful not to pur-

chaſe in future damaged wheat, as the ſame is found by experience extremely injurious, even for the purpoſes of forage.

Reſolved, That the quartermaſter general be directed to conſult with the commander in chief, Whether a reduction of the ſtationary teams cannot be made conſiſtently with the good of the ſervice, or Whether ox teams cannot in the preſent ſeat of the war be ſubſtituted in a great meaſure for horſe teams; and if general Waſhington ſhall be of opinion that both or either of theſe meaſures are adviſeable, that the quartermaſter general take meaſures for carrying the ſame into execution, in ſuch manner as ſhall be deemed moſt conſiſtent with the good of the army and a regard to public œconomy.

Ordered, That the committee have leave to ſit again.

A report from the board of war being read, on a letter of the 2d from major general Sullivan;

Reſolved, That the governments of the ſtates of Connecticut, Maſſachuſetts-Bay and New-Hampſhire, be requeſted, on the application of major general Sullivan, with the concurrence of the legiſlature or council of war of Rhode-Iſland and Providence Plantations, to call out of their reſpective ſtates ſuch number of militia as he ſhall require, in caſe of great emergency, to check the ravages of the enemy or to repel any invaſion they may attempt in any of the eaſtern ſtates.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. A. Adams, one of the delegates of the ſtate of Connecticut, for ſixteen hundred dollars, advanced upon his application; for which the ſaid ſtate is to be accountable:

That a warrant iſſue on the treaſurer in favour of Mr. Jonathan Elmer, one of the delegates for the ſtate of New-Jerſey, for five hundred dollars; for which the ſaid ſtate is to be accountable.

Congreſs reſumed the conſideration of the report of the committee on the memorial of captain Harper, and after ſome time ſpent thereon,

Ordered, That the farther conſideration thereof be poſtponed.

Adjourned to nine o'clock on Monday.

MONDAY,

MONDAY, *September* 14, 1778.

A letter of the 8th from James Johnſtone was read, returning thanks for the honour done him in appointing him an auditor of accounts in the army; alſo one of the ſame day from meſſieurs Clarke and Johnſtone, auditors, was read.

A letter of the 8th from brigadier Wayne, and one of the 7th from the field officers of the 1ſt Pennſylvania regiment, were read, requeſting that the reverend Mr. Robert Blackwell, chaplain of the firſt Pennſylvania brigade, may be continued ſurgeon of the regiment aforeſaid:

Ordered to lie on the table.

A letter of the 13th from baron d'Arendt was read:

Ordered, That it be referred to the board of war.

A letter of the 17th from Mr. S. Deane was read.

Congreſs proceeded to the election of a miniſter plenipotentiary to the court of France, and the ballots being taken,

Doctor Benjamin Franklin was elected.

Reſolved, That a committee of five be appointed to prepare a letter of credence to His Moſt Chriſtian Majeſty, notifying the appointment of doctor B. Franklin miniſter plenipotentiary of theſe United States at the court of France:

That the ſaid committee alſo prepare a draught of inſtructions to the miniſter plenipotentiary;

The members choſen Mr. G. Morris, Mr. Chaſe, Mr. Drayton, Mr. S. Adams and Mr. R. H. Lee.

Ordered, That the letters of credence, received through the hands of the miniſter of France and the count d'Eſtaing, be referred to the ſaid committee.

Congreſs took into conſideration the letter from Mr. S. Deane, and after ſome time ſpent thereon,

Ordered, That the further conſideration thereof be poſtponed.

Three o'clock, P. M.

A letter of the 11th from colonel Beatty, commiſſary of priſoners, was read:

Ordered, That ſo much of the ſaid letter as relates to John Connolly be referred to the board of war, and that what relates to the exchange of French priſoners be referred to the marine committee.

A letter of the 6th from colonel Wadſworth, at Baltimore, was read:

Ordered,

Ordered, That it be referred to the committee on the letter from colonel Hollingſworth and memorial of colonel Blaine.

The marine committee laid before Congreſs a letter of the 2d from J. Bradford, which was read, informing of the arrival of the brig general Gates and her two prizes, and of the death of captain Skinner, commander of the general Gates, who was killed in an engagement with the Montague, and has left a widow with eleven children, only two of whom are able to provide for themſelves:

Ordered, That it be referred to the marine committee, and that they be directed to report what proviſion, in their opinion, ought to be made for the widow and children of captain Skinner.

Congreſs took into conſideration the letter of the 11th from John M'Kinly, eſquire, late preſident of the ſtate of Delaware, ſoliciting to be exchanged for William Franklin, eſquire, and the minutes of the privy council of the ſtate of Delaware: whereupon

A motion was made to reſolve,

That Congreſs conſent to the exchange of William Franklin, eſquire, late governor of New-Jerſey, for John M'Kinly, eſquire, late preſident of the ſtate of Delaware, agreeably to the propoſition of general Sir Henry Clinton:

In lieu of which the following reſolution was moved as an amendment, viz.

Whereas Hugh Wallace, eſquire, one of the council under the crown of Great-Britain, of the late colony now ſtate of New-York, was, amongſt other perſons in the ſaid ſtate, diſaffected to the liberties of America, made priſoner by general Waſhington, commander in chief of the army of the United States, with the concurrence of the legiſlature of the ſtate of New-York, and ſent under parole into the ſtate of Connecticut: and whereas the ſaid Hugh Wallace having been permitted by his excellency Jonathan Trumbull, eſquire, governor of the ſtate of Connecticut, to go into the city of New-York on parole, to return when demanded by him or general Waſhington, has, on a requiſition made by general Waſhington to the ſaid Hugh Wallace to return and ſurrender himſelf agreeably to his parole, refuſed to comply with the ſame, and has been countenanced in ſuch refuſal

by

by the officer commanding in New-York. In as much, therefore, as it is eſſentially neceſſary to the proſecution of this war upon equal principles, that meaſures ſhould be adopted for compelling perſons, who are priſoners under parole within the lines of the enemy, and who refuſe to return to abide by thoſe principles of good faith and perſonal honour, which are to be obſerved by thoſe who are permitted to return on their parole within the American lines: reſolved that John M'Kinly, eſquire, late preſident of the ſtate of Delaware, who has been made priſoner by the Britiſh forces, and who has been permitted to return on parole within the American lines, in order to ſolicit an exchange for William Franklin, eſquire, late governor of New-Jerſey, be not permitted to return within the Britiſh lines, in order to ſurrender himſelf on his parole, till ſuch time as the ſaid Hugh Wallace, eſquire, ſhall ſurrender himſelf on his parole to general Waſhington, or be exchanged for the ſaid John M'Kinly, eſquire; and all officers in the ſervice of the United States are hereby ordered not to ſuffer the ſaid John M'Kinly to paſs within the enemy's lines.

On which amendment the yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. A. Adams,	*no*	*no*
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
Pennſylvania,	Mr. Morris,	*no*	*no*
	Mr. Roberdeau,	*no*	
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*
	Mr. Vandyke,	*no*	
Maryland,	Mr. Plater,	*no*	*no*
	Mr. Forbes,	*no*	
	Mr. Henry,	*no*	
Virginia,	Mr. Harvie,	*no*	*no*
	Mr. R. H. Lee,	*no*	
	Mr. Griffin,	*no*	

North-

North-Carolina,	Mr. Penn,	*ay*	
	Mr. Harnett,	*no*	*ay*
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Drayton,	*no*	*ay*
	Mr. Matthews,	*ay*	
Georgia,	Mr. Walton,	*no*	
	Mr. Telfair,	*no*	*no*
	Mr. Langworthy	*no*	

So it paſſed in the negative.

The main queſtion being then divided, and the yeas and nays required by Mr. Duer, on the clauſe reſpecting the exchange of W. Franklin,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	
	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. A. Adams,	*ay*	*ay*
New-York,	Mr. Lewis,	*no*	
	Mr. Duer,	*no*	*no*
	Mr. G. Morris,	*ay*	
Pennſylvania,	Mr. R. Morris,	*ay*	
	Mr. Robertdeau,	*no*	*ay*
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	
	Mr. Vandyke,	*ay*	*ay*
Maryland,	Mr. Plater,	*ay*	
	Mr. Forbes,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. Harvie,	*ay*	
	Mr. R. H. Lee,	*ay*	*ay*
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	
	Mr. Harnett,	*ay*	*ay*
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Drayton,	*no*	*no*
	Mr. Matthews,	*no*	
Georgia,	Mr. Walton,	*no*	
	Mr. Langworthy,	*no*	*no*

So it was reſolved in the affirmative.

A motion

A motion was then made in the second clause to strike out the words "John M'Kinley, esquire," to the end of the sentence, and insert "brigadier W. Thompson;"

And the yeas and nays being required by Mr. Duer,

New-Hampshire,	Mr. Bartlett,	*no*	*no*
Massachusetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Island,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. A. Adams,	*no*	*no*
New York,	Mr. Duer,	*ay*	*divided*
	Mr. G. Morris,	*no*	
Pennsylvania,	Mr. R. Morris,	*no*	*no*
	Mr. Roberdeau,	*ay*	
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*
	Mr. Vandyke,	*no*	
Maryland,	Mr. Plater,	*no*	*no*
	Mr. Forbes,	*ay*	
	Mr. Henry,	*no*	
Virginia,	Mr. Harvie,	*ay*	*ay*
	Mr. R. H. Lee,	*no*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*ay*	
Georgia,	Mr. Walton,	*no*	*divided*
	Mr. Langworthy,	*ay*	

So it passed in the negative.

On the question put to agree to the latter clause,

Resolved in the affirmative.

A letter of the 12th from general Washington, inclosing a copy of one of the 10th from general Sullivan, was read.

Adjourned to nine o'clock to-morrow.

TUESDAY, *September* 15, 1778.

Ordered, That the copy of general Sullivan's letter of the 10th be referred to the committee of intelligence.

The

The report of the committee on general Washington's letter, relative to baron Steuben, which was referred to general Washington, being returned with the general's observations thereon, the same were read:

Ordered, That the report and observations be referred to the committee of arrangement, and that they be directed to prepare a plan of regulations for the inspectorship, agreeable to the said report and observations.

A petition of Robert Woodbridge was read.

A letter from lieutenant colonel Klein was read, returning thanks for the honour done him in appointing him to the command of the German Volunteers.

A letter of this day from baron d'Arendt, was read, taking leave of Congress.

A petition of Catharine Pennington, relict and administratrix of Miles Pennington, captain of marines on board the ship Reprisal, was read:

Ordered, That it be referred to the marine committee.

A letter of the 5th from major general Heath was read.

The marine committee brought in a report; whereupon

Ordered, That the marine committee lay before Congress, this afternoon, a list of the captains and lieutenants of the continental navy, and of the ships and vessels to which such as are employed are affixed.

Another letter of the 12th from general Washington, with a report of a board of general officers inclosed, was read:

Ordered, That the same be referred to the committee appointed to confer with the minister of France.

Three o'clock, P. M.

Congress resumed the consideration of the report of the committee on the arrangement of the treasury, and thereupon

Resolved, That such parts of the said report as relate to a confederal fund, and to the mode of issuing and accounting for loan-office certificates, be referred to a committee of three;

The members chosen Mr. Duer, Mr. Gerry and Mr. A. Adams.

A motion was made, To amend the report so that there shall be but one chamber of accounts:

The

The yeas and nays being required by Mr. Duer,

Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. A. Adams,	*ay*	*ay*
New-York,	Mr. Lewis,	*ay*	*divided*
	Mr. Duer,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Reed,	*no*	
Delaware,	Mr. Vandyke,	*ay*	*ay*
Maryland,	Mr. Plater,	*no*	*no*
	Mr. Forbes,	*ay*	
	Mr. Henry,	*no*	
Virginia,	Mr. Harvie,	*no*	*no*
	Mr. R. H. Lee,	*ay*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*divided*
	Mr. Matthews,	*no*	
Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*ay*	

So it was reſolved in the affirmative.

Reſolved, That the chamber conſiſt of three.

The committee to whom was referred the letter of the preſident of the ſtate of Delaware, directed to the delegates of the ſaid ſtate, brought in a report; whereupon

Reſolved, That John Hooper and James Murray, two ſoldiers of general Pulaſki's legion, having been charged with committing a robbery on the property of James Chandler, a citizen of the ſtate of Delaware, be ſent, under a proper guard, to Wilmington in the ſaid ſtate, there to be delivered to John Lea, eſquire, or any other magiſtrate, to be dealt with according to law; and that brigadier general Pulaſki give orders for carrying the ſame into effect.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *September* 16, 1778.

A letter of this day from Joſeph Nourſe was read, renewing his application for leave to reſign his office of ſecretary

cretary to the board of ordnance and treaſurer to the board of war and ordnance, and ſignifying the neceſſity he is under of going to Virginia in three weeks: whereupon

Ordered, That Wedneſday the 23d inſtant be aſſigned for electing a ſecretary for the board of ordnance and treaſurer to the board of war and ordnance, and that Mr. Nourſe have leave to reſign.

A letter of the 14th from three officers of the Mermaid was read:

Ordered, That it be referred to the marine committee.

A letter of Auguſt 19th from the council of New-Hampſhire, was read, with ſundry papers incloſed relative to the conduct of the inhabitants of the New-Hampſhire Grants, ſtiling themſelves "the ſtate of Vermont:"

Ordered, That the ſame be referred to a committee of the whole Congreſs.

Reſolved, That on Friday next, in the afternoon, Congreſs be reſolved into a committee of the whole, to conſider the foregoing papers and other papers heretofore received relative to the conduct of the ſaid inhabitants.

A letter of July 31ſt and one of September 3d from the council of Maſſachuſetts-Bay were read, relative to the reſolution of April 8th, 1777, recommending the erecting a monument to the memory of major general Warren:

Ordered, That they be referred to a committee of three;

The members choſen Mr. Duer, Mr. Witherſpoon and Mr. R. H. Lee.

Ordered, That the committee be inſtructed to take into conſideration the other reſolutions of Congreſs, ſimilar to that mentioned in the foregoing letters, and report on them alſo.

A letter of the 3d from James Warren, eſquire, member of the navy board at Boſton, directed to the committee of commerce, was read, informing of the arrival of fifty-ſix bales of blankets, on board the ſchooner Tabby:

Ordered, That it be referred to the board of war.

The committee to whom was referred the letter of the 12th from general Waſhington, with the report of the board of general officers, brought in a report.

Congreſs reſumed the conſideration of the letter of the 11th from Mr. Deane; whereupon

A motion was made,

That

That Mr. Deane be directed to attend Congreſs on Friday morning next, to anſwer ſuch queſtions as the members may propoſe to him, for the better underſtanding of the ſtate and progreſs of public affairs during his miſſion in France.

An amendment was moved to ſtrike out "members" and inſert the word "houſe;"

On which the yeas and nays being required by Mr. Chaſe,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Gerry, *excuſed not being preſent at the debate*,		
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*divided*
	Mr. Elmer,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*divided*
	Mr. Clingan,	*no*	
Delaware,	Mr. Vandyke,	*ay*	*ay*
Maryland,	Mr. Chaſe,	*ay*	*ay*
	Mr. Plater,	*ay*	
	Mr. Forbes,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. Harvie,	*ay*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*ay*	
Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*ay*	

So it was reſolved in the affirmative.

Queſtion put on the motion as amended,

Reſolved in the affirmative.

Adjourned to nine o'clock to-morrow.

THURSDAY,

THURSDAY, *September* 17, 1778.

A letter of the 15th from the board of war was read.

A letter of the 16th from Mr. Reed, one of the committee of arrangement, was read:

Ordered, That it be referred to the board of war.

A letter of the 15th from Charles Bradiſh, and one of the 16th from J. Stoddart, officers of the Mermaid, were read:

Ordered, That they be referred to the marine committee.

A letter of the 16th from James Caldwell was read.

Ordered, That one million of dollars be advanced to general Mifflin, late quartermaſter general, for which he is to be accountable; and that he be directed to render an account of all ſuch ſums as are now due from the late quartermaſter general, in order to their being paid.

Congreſs reſumed the conſideration of the report of the committee on the arrangement of the treaſury.

On motion,

Reſolved, That the reſolution fixing the number of the chamber of accounts be re-conſidered.

Reſolved, That the report, with the amendment made, be referred to a committee of five;

The members choſen Mr. R. Morris, Mr. Witherſpoon, Mr. G. Morris, Mr. Chaſe and Mr. R. H. Lee.

Three o'clock, P. M.

A letter of this day from count Pulaſki was read.

Ordered, That an extract of the letter of the 12th from general Waſhington, relative to ſending forward to the army the confederal troops in Philadelphia, be referred to the board of war.

A report from the board of war was read; whereupon

Reſolved, That brigadier count Pulaſki be ordered to march with his legion to Trenton without delay, there to receive the further orders of the commander in chief.

Congreſs reſumed the conſideration of the report from the committee on the treaſury of the 10th; whereupon

Reſolved, That forty-eight thouſand dollars, the reſidue of a warrant for three hundred thouſand dollars, iſſued the 12th day of February laſt, in favour of the delegates of the ſtate of Pennſylvania, be now paid to the ſaid delegates, to be by them tranſmitted to the preſident and council of the ſaid ſtate, which is to be accountable.

Ordered,

Ordered, That a warrant iſſue on the treaſurer in favour of the delegates of the ſtate of Pennſylvania, for fifty-two thouſand dollars, to be by them tranſmitted to the preſident and council of that ſtate; for which the ſaid ſtate is to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to John Hartman, for entertaining four Indians at Reading about ſix weeks, by order of the honourable John Hancock, eſquire, the ſum of three hundred and ſeven dollars and 3-90ths:

That there is due to Francis Johnſtone, for tranſlating a French letter into Engliſh, by order of the preſident of Congreſs. the ſum of twenty dollars:

That there is due to Iſaac Vanoſt, for a log of lignum vitæ for two rollers for a rolling preſs, one hundred and twenty dollars and 60-90ths:

That there is due to Francis Hopkinſon, eſquire, for compiling an index to the firſt and ſecond volumes of the journals of Congreſs, two hundred dollars:

Ordered, That the ſaid ſums be paid.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Thomas Franklin, for two thouſand dollars, in diſcharge of a bill of his excellency Richard Caſwell, eſquire, governor of North-Carolina, on the continental treaſurer for that ſum, in favour of Andrew Blanchard, dated May 1ſt, 1778, and expreſſed to be "on account of tanned leather, deer ſkins and ſhoes, purchaſed in purſuance of a reſolution of Congreſs of the 25th of November laſt;" for which the ſtate of North-Carolina is to be accountable:

That a warrant iſſue on the treaſurer in favour of Mr. J. Williams, one of the delegates from the ſtate of North-Carolina, for five hundred dollars, advanced on his application; the ſaid ſtate to be accountable:

That, upon the application of the board of war and ordnance, a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the ſaid board, for one hundred thouſand dollars, to anſwer the contingent charges thereof; for which the ſaid Joſeph Nourſe is to be accountable:

That

That a warrant iſſue on the treaſurer in favour of Joſeph Nourſe, paymaſter to the board of war and ordnance, for five hundred thouſand dollars, to be by him tranſmitted to Benjamin Stelle, deputy paymaſter at Rhode-Iſland; and that a copy of this order be ſent to Ebenezer Hancock, eſquire, deputy paymaſter general at Boſton, who is to be accountable.

Whereas it is repreſented by the auditors of the army, that many regimental paymaſters have adopted the unwarrantable practice of paying to the commanding officers of companies, agreeably to the recommendations of the colonels or commanding officers of their regiments reſpectively, ſuch ſums of money as the ſaid regimental paymaſters have drawn for, but not paid to, priſoners, deſerters, and men who have died in the ſervice:

Reſolved, That, until the ſums of money ſo paid by the regimental paymaſters ſhall be reimburſed and paid into the hands of the paymaſter or deputy paymaſters general, ſuch commanding officers of regiments ſhall be accountable for the monies which they have ſo ordered to be paid, the commanding officers of companies for the monies ſo received, and the regimental paymaſters for the money ſo paid by them reſpectively; and the auditors of the army are authoriſed and directed forthwith to oblige the ſaid officers to account, agreeably to the mode preſcribed by the reſolution of Congreſs of the 6th of February laſt.

An account of the monies expended by the cloathier general was laid before Congreſs:

Ordered, That it be referred to the board of treaſury.

Reſolved, That Wedneſday next be aſſigned for taking into conſideration the department of the cloathier general.

Reſolved, That on Saturday and Wedneſday Congreſs meet at ten and ſit till three o'clock.

Adjourned to nine o'clock to-morrow.

FRIDAY, *September* 18, 1778.

A letter and memorial from doctor J. Morgan was read:

Reſolved, That a committee of three be appointed in purſuance of the reſolution of Auguſt 9th, 1777;

The members thoſen Mr. Drayton, Mr. Harvie and Mr. Witherſpoon.

A motion was made That the committee be impowered to ſend for perſons and papers: Queſtion

Queſtion put,
Paſſed in the negative.

Ordered, That the foregoing letter and memorial be referred to the ſaid committee.

A letter of July 14th from John Sandford Dart, deputy cloathier general in South-Carolina, with two invoices incloſed, was read:

Ordered, That it be referred to the committee of commerce.

The committee of commerce report, That there is now on board the brig Braxton one hundred and ſeventeen hogſheads of tobacco, ſhipped on freight for account and riſque of the United States: that the ſaid tobacco hath been ſhipped upwards of a year, and that the veſſel was detained by the Britiſh frigates the greateſt part of that time and the reſt by means firſt of ſpringing a leak and ſecondly by a ſtroke of lightning, which diſmaſted and diſabled the veſſel from proceeding: that the continent is liable to make good the damages as inſurers, and to pay a heavy demurrage as freighters: that the owners of ſaid brig being offered a price for this veſſel and cargo as ſhe lies, which they think will make them compenſation, offer to diſcharge the continent from the charter, provided the committee ſell them the one hundred and ſeventeen hogſhead of tobacco on board the ſaid brig at five pounds Virginia money per cent. which the committee think adviſeable: whereupon

Reſolved, That the committee of commerce be authoriſed to make ſale of the one hundred and ſeventeen hogſheads of tobacco on board the brig Braxton to the owners of the ſaid brig on the terms propoſed in the above report, and to receive payment for the ſame, on account of the United States; for which the ſaid committee is to be accountable.

Reſolved, That Monday next be aſſigned for taking into conſideration the reports of the committee of commerce.

A report from the board of war was read; whereupon

Reſolved, That monſieur Bechet de Roche Fontaine be appointed a captain in the corps of engineers, and that his commiſſion be dated the 15th day of May laſt.

Three o'clock, P. M.

A letter of the 15th from J. Beatty, commiſſary general of priſoners, with ſundry papers incloſed, was read:

Ordered,

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Duer, Mr. Witherſpoon and Mr. Marchant.

A letter of July 8th from governor Clinton, of the ſtate of New-York, was read.

The committee to whom were referred the letters from the honourable Arthur Lee, eſquire, of the 6th, 15th, and 31ſt of January, 1778, and the letter of January 16th, 1778, from the honourable Benjamin Franklin and Silas Deane, brought in a report which was read; whereupon

A member in his place informed the houſe that he had information that Mr. Carmichael had charged Mr. Deane with miſapplication of the public money, &c.

Being called upon to reduce this information to writing, he delivered in a writing which was read.

Ordered, That the report of the committee lie on the table.

Adjourned to ten o'clock to-morrow.

SATURDAY, *September* 19, 1778.

A letter of the 18th from John Connolly was read:

Ordered, That it be referred to the committee on the letter of the 15th from Mr. John Beatty.

A letter of the 13th from Mr. Laneuville was read:

Ordered, to lie on the table.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of James Meaſe, eſquire, cloathier general, for fifty thouſand dollars, for the uſe of his department; for which he is to be accountable.

Congreſs took into conſideration the affairs of the treaſury and finance; whereupon the committee on finance having made report, the ſame was read:

Reſolved, That ſixty copies of the ſaid report be printed for the uſe of the members, and that the printer be under an oath not to divulge any part of the ſaid report nor to ſtrike off more than ſixty copies, and to deliver to the ſecretary of Congreſs the ſaid copies, together with the proofs and unfiniſhed ſheets.

Reſolved, That the members of the houſe be enjoined not to communicate the report or any part of it without leave of the houſe.

A letter

A letter of this day from the board of war was read, with a letter of the 17th from T. Bradford, deputy commiſſary of priſoners:

Ordered, That ſo much of Mr. Bradford's letter as relates to priſoners taken at ſea be referred to the marine committee:

That ſo much of the ſaid letter as relates to Mr. Franks's refuſal to ſupply Britiſh priſoners with wood or neceſſary cloathing be referred to the board of war.

A report from the board of war was read, reſpecting the mode of ſupplying our priſoners in the hands of the enemy from time to time with money:

Ordered, That the conſideration thereof be poſtponed.

The preſident laid before Congreſs the letters which he had received ſome time ago, and of which he informed Congreſs upon the receipt thereof and afterwards, when he deſired to know the ſenſe of the houſe concerning them, as ſome of them were not directed to him as preſident but as delegate from South-Carolina, and all contained matters of private as well as public nature, and of which Congreſs declined to receive extracts:

Ordered, That they be read.

The ſame were read, and are as follows:

A letter of November 24th, 1777, from A. Izard;

One of February 16th, 1778, from the honourable R. Izard, eſquire, incloſing a copy of his letter of January 28th to doctor Franklin, doctor Franklin's anſwer of the 29th, and his reply of the 30th of the ſame month;

A letter of March 1ſt, 1778, and one of April 11th, 1778, from the ſame:

Ordered, That they lie on the table.

Adjourned to nine o'clock on Monday.

MONDAY, *September* 21, 1778.

A letter of the 1ſt from governor Clinton, of the ſtate of New-York, with ſundry papers incloſed, was read.

Another letter of the 9th from the ſame was read, intimating a deſire to be informed of the ſentiments of Congreſs reſpecting his conduct as commander of the forts on the banks of Hudſon's river, which were taken by the enemy, and deſiring to be furniſhed with certified copies of the report of the court of enquiry, &c.

Ordered, That governor Clinton be furniſhed with copies of the papers deſired, and that the preſident inform

him that Congreſs are well ſatisfied of the propriety of his conduct as commander of the forts on Hudſon's river.

A letter of the 10th from major general Heath was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Gerry, Mr. Duer and Mr. Harvie.

A letter of the 19th from colonel Kowats was read:

Ordered, That it be referred to the board of war.

A letter of the 19th from James Meaſe, eſquire, cloathier general, was read, requeſting the favour of Congreſs to chuſe, as ſoon as they conveniently can, ſome ſuitable perſon in his ſtead for that office:

Ordered to lie on the table till the affairs of the cloathier's department are taken into conſideration.

A delegate from Maryland read in his place an extract of a letter from the governor of that ſtate, reſpecting the meaſures taken or to be taken for cloathing the continental troops, and particularly thoſe of that ſtate; alſo a delegate from Pennſylvania laid before Congreſs an extract from the minutes of the general aſſembly of that ſtate, deſiring to be informed "whether Congreſs have on hand a ſufficient quantity of cloathing for the troops for the enſuing winter;" whereupon

Ordered, That the board of war lay before Congreſs an account of the cloathing on hand and the meaſures by them taken for ſupplying the continental troops the enſuing winter.

In purſuance of a recommendation by the board of treaſury,

Reſolved, That Mr. Benjamin Armitage be appointed to ſuperintend the making of paper for loan-office certificates and bills of exchange.

The committee to whom was referred the letter of June 23d from major general Howe, having brought in a report, the ſame was taken into conſideration; whereupon

Reſolved, That a warrant iſſue on the treaſurer in favour of Joſeph Clay, eſquire, deputy paymaſter general in the ſtate of Georgia, for one million of dollars, for the purpoſe of eſtabliſhing a military cheſt in the ſaid ſtate, and that it be forthwith tranſmitted to him by the board of war; he to be accountable.

Ordered,

Ordered, That ſo much of general Howe's letter, as relates to what ſhare of the prizes taken by continental troops may belong to the commander of the ſaid troops, be referred to the board of war.

Application being made by the delegates of South-Carolina for an advance of fifty thouſand dollars for the ſaid ſtate;

Ordered, That it be referred to the board of treaſury.

A motion being made, That the board of war do appoint a ſuitable perſon to proceed immediately to Trenton, or wherever the legion under the command of count Pulaſki may be, and cauſe the ſaid legion to be muſtered, ſelecting ſuch non-commiſſioned officers and privates as ſhall, upon due enquiry, be found to have been priſoners or deſerters from the enemy; that ſuch non-commiſſioned officers and privates be not permitted to proceed to the army, but return to Philadelphia, and there deliver up their horſes, arms and accoutrements to the quartermaſter general and commiſſary of military ſtores, the men to be diſpoſed of as Congreſs may hereafter direct:

On motion, That the conſideration thereof be poſtponed,

The yeas and nays being required by Mr. Reed,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. A. Adams,	*no*	*no*
New-York,	Mr. Lewis,	*no*	*divided*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Reed,	*no*	
	Mr. Clingan,	*no*	
Maryland,	Mr. Chaſe,	*ay*	*divided*
	Mr. Plater,	*excuſed*,	
	Mr. Henry,	*no*	
Virginia,	Mr. Harvie,	*ay*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	

South-

South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
Georgia,	Mr. Telfair,	*no*	*no*
	Mr. Langworthy,	*no*	

So it paſſed in the negative.

An amendment was then moved, and after debate,

Ordered, That the motion and amendment be referred to a committee of three, and that they be directed to report to-morrow;

The members choſen Mr. Reed, Mr. Lovell, and Mr. Witherſpoon.

Ordered, That Mr. Telfair and Mr. Williams be added to the committee on the memorial from the marquis of Britanny.

An appeal from the judgment of a court of admiralty for the ſtate of New-Jerſey, on the libel "Timothy Shalor verſus ſloop Speedwell," was lodged with the ſecretary and referred to the committee on appeals.

Adjourned to nine o'clock to-morrow.

TUESDAY, *September* 22, 1778.

A letter of the 19th from general Cadwallader was read, expreſſing the higheſt ſenſe of the honour conferred upon him by Congreſs in appointing him a brigadier with the command of the cavalry, but informing them that he cannot conſent to enter into the ſervice at this time, as the war appears to him to be near the cloſe: whereupon

Ordered, That Monday October 3d be aſſigned for electing a commander of the horſe.

A letter of February 26th from major general R. Howe, was read:

Ordered, That it be referred to the board of treaſury.

A letter of this day from Mr. S. Deane was read, accompanied with two accounts of monſieur le Grand.

Whereas information hath been given to Congreſs, from which it is probable that William Carmichael, eſquire, is poſſeſſed of a knowledge of the conduct of Silas Deane, eſquire, late commiſſioner at the court of Verſailles, touching the application of the public monies of theſe United States, and other matters relating to his public character:

Reſolved, That the ſaid William Carmichael be directed to attend at the bar of the houſe this afternoon, to be examined in the premiſes.

Whereas

Whereas certain diſſentions, detrimental to the public ſervice, are ſaid to have exiſted among the American commiſſioners in Europe:

Reſolved, That the ſaid William Carmichael be alſo examined touching the ſaid diſſentions and the conduct of the ſaid commiſſioners, as far as the ſame may have come to his knowledge.

Ordered, That the conſideration of the letter of the honourable Silas Deane, eſquire, be poſtponed until the examination of William Carmichael, eſquire, is taken, and that Mr. Deane be informed thereof.

Three o'clock, P. M.

On motion,

Reſolved, That Mr. Carmichael be examined upon oath: that Mr. ſecretary take down in writing the queſtions propounded and the anſwers given to them.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *September* 23, 1778.

The preſident having communicated ſome intelligence he received laſt night, relative to the motions of the enemy, and certain reſolutions being thereupon moved,

Ordered, That the ſame be referred to a committee of five;

The members choſen Mr. Drayton, Mr. Reed, Mr. R. H. Lee, Mr. Duer and Mr. S. Adams.

A letter of Auguſt 5th from captain Senf, directed to his excellency the preſident of South-Carolina, relative to the colours of lieutenant general Burgoyne's army, was read:

Ordered, That it be referred to the committee appointed the 22d of November laſt.

A letter of Auguſt 18th from major general R. Howe was read:

Ordered to lie on the table.

The marine committee, to whom was referred the letter of the 2d from J. Bradford, report, That, upon enquiry, they find captain Skimmer, late commander of the continental brig general Gates, to have been a brave and worthy officer; that he loſt his life in a ſevere engagement with the enemy, and that he has left a widow and eleven children, nine of whom are too young to be capable of getting their livelihood; and therefore it is their opinion that, in conſideration of the above circumſtances,

cumſtances, the eaſtern navy board be directed to ſupply four hundred dollars annually, in quarterly payments, for the ſupport of captain Skimmer's widow and nine youngeſt children, and that this proviſion be continued for three years:

Reſolved, That Congreſs agree to the ſaid report.

Ordered, That a warrant iſſue on the treaſurer in favour of colonel Theodorick Bland, for twenty-eight thouſand dollars, to enable him to compleat the purchaſe of horſes, arms and accoutrements for his regiment, and for recruiting the ſame; the ſaid colonel Bland to be accountable:

That a warrant iſſue on the treaſurer in favour of the delegates of South-Carolina, for fifty thouſand dollars, for the uſe of that ſtate, which is to be accountable.

Reſolved, That Mr. Holten be added to the medical committee.

Reſolved, That Mr. A. Adams be appointed a member of the marine committee for the ſtate of Connecticut.

Reſolved, That Mr. Matthews and Mr. Marchant be added to the committee for hearing and determining appeals.

Adjourned to nine o'clock to-morrow.

THURSDAY, *September* 24, 1778.

A letter of the 15th from William Palfrey, paymaſter general, was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 17th from governor Johnſtone, of Maryland, was read.

Whereas Congreſs did, on the 14th of May laſt, grant to Ethan Allen the rank of colonel by brevet in the army of the United States of America, in reward of his fortitude, firmneſs and zeal in the cauſe of his country, manifeſted during the courſe of his long and cruel captivity, as well as on former occaſions; and whereas on the 16th day of the ſame month all the benefits and privileges of a lieutenant colonel in the ſervice of theſe ſtates were granted to the ſaid E. Allen during the time of his late captivity; and whereas it is repreſented to Congreſs that colonel E. Allen's circumſtances have been greatly reduced by his late long and cruel confinement, and his brevet commiſſion does not entitle him to pay:

Reſolved,

Resolved, That seventy-five dollars per month be allowed to colonel E. Allen, from the date of his brevet, during the pleasure of Congress, or until he shall be called into actual service.

The honourable sieur Gerard, minister plenipotentiary of France, having notified to Congress that, pursuant to the powers with which he is invested, he has appointed Mr. Martin Oster vice consul of France in the port of Philadelphia:

Ordered, That this be referred to the marine committee, in order that the same may be made public.

A memorial from J. Mitchell, deputy quartermaster general, was read:

On which sundry motions being made,

Ordered, That the said memorial and motions be referred to the committee on the memorial from colonel Blaine and letter from H. Hollingsworth.

Ordered, That Mr. Banister have leave of absence.

Three o'clock, P. M.

The committee to whom were referred the motions founded on the intelligence communicated by the president, brought in a report, which was taken into consideration, and after some time spent thereon,

Adjourned to nine o'clock to-morrow.

FRIDAY, *September* 25, 1778.

Mr. Stone, a delegate from Maryland, attended and took his seat in Congress.

The committee of commerce laid before Congress a letter of the 18th from Stephen Steward, which was read:

Ordered, That it be returned to the committee of commerce, and that they be impowered and directed to act thereon as they shall judge proper.

A letter of the 24th from Mr. S. Deane was read, intimating that he is informed "That letters from Mr. Izard, "reflecting on his character and conduct whilst in the "service of the public abroad, have been read in Con- "gress," and requesting "to be furnished with copies "thereof, and that he may be permitted to wait on Con- "gress, and to be heard in his vindication:"

Ordered, That Mr. Deane be furnished with extracts of all such parts of Mr. Izard's letters, read in this house on the 19th, as relate to his public conduct.

A letter of this day from John Connolly was read:

Ordered,

Ordered, That it be referred to the committee on the letter of the 15th from colonel Beatty, commiſſary of priſoners.

A letter of the 24th from Jonathan Brewer, captain lieutenant of artillery, was read:

Ordered, That it be referred to the board of treaſury.

A petition from Hezekiah Stokes, paymaſter of the 8th Virginia regiment, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Harvie, Mr. Marchant and Mr. Gerry.

A letter from Seth Harding was read.

Congreſs reſumed the conſideration of the report under debate yeſterday; whereupon

Reſolved, That the executive powers of Virginia and North-Carolina be requeſted, without loſs of time, to give all poſſible aid to the ſtates of South Carolina and Georgia; Virginia by marching into South-Carolina one thouſand men, comprehending all the continental troops in that ſtate; North-Carolina three thouſand men, including the levies and all the continental troops in that ſtate: each body to be properly officered by the government embodying it. The militia and levies to continue in the ſervice and pay of the United States for the ſpace of five months from the time of their marching from each ſtate reſpectively, if it ſhall be found neceſſary: the whole to be commanded by the continental officer entitled to command; and that their excellencies governor Henry and governor Caſwell be requeſted to take the moſt vigorous meaſures to carry this reſolution into full and immediate effect.

Reſolved, That, in caſe governor Caſwell ſhall find it conſiſtent with the duties of his ſtation, and ſhall be inclined, to march to the aid of South-Carolina and Georgia, at the head of the North-Carolina forces, he ſhall, while on this expedition, have the rank and pay of major general in the army of the United States of America.

Reſolved, That the militia of South-Carolina and Georgia, called forth on the preſent emergency, be in the pay of the United States.

Three o'clock, P. M.

Reſolved, That major general R. Howe be and he is hereby directed to repair immediately to general Waſhington's Head Quarters.

Reſolved,

Resolved, That major general Lincoln take command in the southern department; and repair immediately to Charles-Town South-Carolina.

A motion being made to order count Pulaski immediately to march with his legion to South-Carolina,

Ordered, That the consideration thereof be postponed.

Congress resumed the consideration of the report of the marine committee under debate the 15th; whereupon

Resolved, That the new frigate building at Norwich in Connecticut, and now nearly ready to be launched, be named the Confederacy.

Congress proceeded to the election of a captain of the said frigate the Confederacy, and the ballots being taken,

Captain Seth Harding was elected.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of major William Dark, for six hundred dollars, in discharge of a bill of William Palfrey, esquire, paymaster general, in favour of the said W. Dark, for that sum, dated September 15, 1778, and expressed to be for the use of the forces of the United States of America; for which the said paymaster general is to be accountable:

That a warrant issue on the treasurer in favour of Alexander Baugh, for two thousand dollars, it being so much received of him by Lewis and Charles Cope, deputy commissaries, as per their receipt appears for James Rae, esquire, deputy commissary general of purchases in Georgia, who is to be accountable.

The board of war, to whom was referred the letter of baron Steuben, relative to monsieur John Ternant, having reported thereon, Congress took the report into consideration; and thereupon

Resolved, That Mr. John Ternant be appointed a lieutenant colonel in the service of the United States, and be ordered to repair to South-Carolina forthwith, to perform the duties of inspector to the troops in the service of these states in South Carolina and Georgia: that he report his proceedings as inspector from time to time to the board of war and inspector general, conforming himself to such regulations as are or shall be established by Congress for the inspector general's department: and,

until he ſhall be duly notified of the plan of the department being arranged and confirmed by Congreſs, that he govern himſelf as near as may be by the rules and practice purſued by baron Steuben during his having executed the office of inſpector general with the grand army, procuring the approbation and authority of the officer commanding the troops of the United States in the ſaid ſtates of South-Carolina and Georgia, in all matters relative to the diſcipline of the troops and the police of the camps, garriſons or quarters, previous to their being put in practice by him as inſpector.

Reſolved, That Mr. Ternant be allowed the pay and ſubſiſtance of a lieutenant colonel from the 26th of March laſt.

Reſolved, That the marine committee be authoriſed to employ a ſecretary for their board, on the moſt reaſonable terms they can.

The board of war brought in a report, which was taken into conſideration, whereupon Congreſs came to the following reſolution:

Whereas Congreſs, by a reſolve paſſed on the 26th of Auguſt, 1776, made proviſion for commiſſioned and non-commiſſioned officers of the army and navy, as alſo for the private ſoldiers, marines and ſeamen who ſhould thereafter loſe a limb in any engagement, or be otherwiſe ſo diſabled in the ſervice of the United States of America, as to render them incapable afterwards of getting a livelihood; and whereas divers officers and others have loſt limbs or been otherwiſe diſabled as aforeſaid, before the ſaid 26th of Auguſt, to whom the like relief ought equitably to be extended:

Reſolved, That all proviſions and regulations contained in the ſaid reſolve of Auguſt 26th, 1776, ſhall extend to all perſons who loſt a limb or were otherwiſe diſabled as aforeſaid in the ſervice of the United Colonies or States of America before the ſaid 26th of Auguſt and ſince the commencement of hoſtilities on the 19th of April, 1775.

And whereas doubts may ariſe in ſome caſes, Whether certain perſons, maimed or diſabled and claiming penſions, were at the time in the ſervice of the ſaid colonies or ſtates: for removing the ſame,

Reſolved, That every commiſſioned and non-commiſſioned officer and private man who, ſince the commencement of hoſtilities, as aforeſaid, has been or hereafter ſhall

ſhall be drawn forth for the common defence, (and not for the ſervice of any particular ſtate,) or who has turned out or ſhall hereafter turn out voluntarily to oppoſe the enemies of the ſaid United Colonies or States upon any ſudden attack or invaſion, or upon any enterprize carried on under their authority, and in ſuch ſervice has loſt or ſhall loſe a limb, or has been or ſhall be otherwiſe diſabled as aforeſaid, ſhall be entitled to the penſion allowed in the ſaid reſolve of Auguſt 26th, 1776: provided that any ſuch commiſſioned or non-commiſſioned officer or private man, being found capable of doing guard or garriſon duty, ſhall be ſubject thereto, and ſerve in the corps of invalids when required, or on refuſing ſo to do, ſhall be ſtruck off the liſt of penſioners; unleſs the perſon ſo refuſing have a family, or be otherwiſe peculiarly circumſtanced, and the governor or preſident and council of the ſtate he belongs to, or in which he reſides, are of opinion an exception ſhould be made in his favour, and an exemption granted him from ſuch ſervice, a certificate of which opinion he ſhall produce, previous to his receiving his penſion.

And whereas it may happen, that many perſons, maimed or diſabled as aforeſaid, by reaſon of their falling into the hands of the enemy, the deaths of their officers and ſurgeons, or other accidents, may not have it in their power to procure the certificates required by the aforementioned reſolve to entitle them to their penſions:

Reſolved, That in ſuch caſes applications be made to the governor or preſident and council of the ſtate to which any perſon maimed or diſabled as aforeſaid belongs, or in which he reſides, and upon ſhewing to him or them ſatisfactory proof, that he was maimed or diſabled in the manner before mentioned, and producing his or their certificate thereof, he ſhall be intitled to and receive a penſion in like manner as if he produced the certificate required by the ſaid reſolve.

Congreſs took into conſideration the report of the committee of commerce reſpecting meſſieurs Hewes, Smith and Allan, and after debate,

Ordered, That the further conſideration thereof be poſtponed, and that the committee of commerce be directed to call on Mr. Hewes to produce an account of the continental property that came into his hands as commercial agent, and how the ſame has been diſpoſed of.

Adjourned to ten o'clock to-morrow.

SATURDAY,

SATURDAY, *September* 26, 1778.

Ordered, That Mr. Carmichael be directed to attend at the bar of this houſe on Monday afternoon at three o'clock, to be examined touching the matter ſet forth in the reſolution of the 22d.

Ordered, That Tueſday afternoon be aſſigned for hearing the honourable Silas Deane, eſquire, and that he be notified to attend on that day at three o'clock.

A letter of the 26th from colonel G. Morgan was read:

Ordered, That the conſideration thereof be poſtponed to Monday next.

A letter of the 25th from John and Alexander Wilcox was read; whereupon

Congreſs reſumed the conſideration of the report of the committee appointed, in conjunction with a committee of the executive council of Pennſylvania, to determine the property of goods, wares and merchandize, &c. after debate,

Reſolved, That the ſtate of facts reported by the ſaid committee be referred to a committee of three;

The members choſen Mr. Reed, Mr. G. Morris and Mr. Smith.

A letter of the 24th from Mr. John Wharton was read, requeſting leave to reſign his office as member of the navy board of the middle diſtrict:

Reſolved, That his reſignation be accepted.

Ordered, That the reſolution paſſed yeſterday, reſpecting penſions, be publiſhed.

Congreſs reſumed the conſideration of the report of the committee on the arrangement of the treaſury, and thereupon came to the following reſolutions:

Reſolved, That a houſe be provided, at the city or place where Congreſs ſhall ſit, wherein ſhall be held the ſeveral offices of the treaſury:

That there be the following offices, to wit, the comptroller's, auditor's, treaſurer's, and two chambers of accounts:

That each chamber of accounts conſiſt of three commiſſioners and two clerks, to be appointed by Congreſs:

That in the treaſurer's office there be a treaſurer annually appointed by Congreſs, and one clerk appointed by the treaſurer:

That in the auditor's office there be an auditor annually appointed by Congreſs, and two clerks appointed by the auditor:

That

That in the comptroller's office there be a comptroller annually appointed by Congreſs, and two clerks appointed by the comptroller:

That the auditor, treaſurer and comptroller ſhall not be appointed, unleſs by the votes of nine ſtates, and they be accountable for the conduct of their clerks reſpectively:

That the auditor ſhall receive all accounts brought againſt the United States for money lent, expended, or advanced; goods ſold or purchaſed; ſervices performed or work done, with the vouchers, and ſhall refer them to one of the chambers of accounts, indorſing them in the manner marked A:

That the commiſſioners of the chamber to whom an account ſhall be referred ſhall deliver the ſame to their clerks, to be properly ſtated:

That the clerks ſhall ſtate the accounts referred to them by the commiſſioners, number and arrange the vouchers, examine the caſtings, and make neceſſary copies:

That the clerks, to whom an account ſhall be delivered, after they have compleated the ſame, ſhall indorſe it in the manner marked B:

That the commiſſioners to whom an account is referred as aforeſaid ſhall carefully examine the authenticity of the vouchers, rejecting ſuch as ſhall not appear good, compare them with the articles to which they relate, and determine whether they ſupport the charges: that they ſhall reduce ſuch articles as are overcharged, and reject ſuch as are improper, and ſhall indorſe the accounts in the manner marked C, and tranſmit them, with the vouchers, to the auditor, and cauſe an entry to be made of the balances paſſed:

That the auditor ſhall receive the vouchers and accounts from the commiſſioners to whom he referred them, and cauſe them to be examined by his clerk. He ſhall compare the ſeveral articles with the vouchers, and if the parties concerned ſhall appeal from the judgment of the commiſſioners, he ſhall call before him the commiſſioners and the party, and hear them, and then make determination, from whence no appeal ſhall lie, unleſs to Congreſs. That after a careful examination of the account as aforeſaid, he ſhall indorſe it in the manner marked D. of which indorſement he ſhall ſend a duplicate, to be filed in the ſame chamber of accounts, and ſhall tranſmit the account and vouchers to the comptroller:

That

That the comptroller ſhall keep the treaſury books, and ſeal and file all the accounts, and vouchers on which the accounts, in the ſaid books, are founded, and ſhall direct the manner of ſtating and keeping the public accounts. He ſhall draw bills, under the ſaid ſeal, on the treaſurer, for ſuch ſums as ſhall be due by the United States, on accounts audited, which, previous to the payment, ſhall be counterſigned by the auditor, and alſo for ſuch ſums as may, from time to time, be ordered by reſolutions of Congreſs in the form marked E. When monies are due to the United States, on accounts audited, he ſhall notify the debtor, and, after hearing him, if he ſhall deſire to be heard, fix a day for payment, according to the circumſtance of the caſe, not exceeding ninety days, of which he ſhall give notice to the auditor in writing, in the form marked F.

That it ſhall be the duty of the treaſurer to receive and keep the monies of the United States, and to iſſue them on bills drawn by the comptroller as aforeſaid, filing duplicates thereof with the auditor, day by day, as he ſhall make payment: that, on receipt of monies, he ſhall give a receipt therefor, and tranſmit the ſame to the comptroller; and that he ſhall draw out and ſettle his accounts quarterly, giving the ſame in to the auditor for examination by one of the chambers of accounts, to be from thence tranſmitted, through the auditor, to the comptroller, who ſhall compare the ſame with the treaſury books, aſcertain the balance, and return a copy of the ſame to Congreſs:

That the comptroller ſhall receive from the treaſurer all receipts by him ſigned, and after making due entry thereof, by charging the treaſurer and crediting the proper accounts, he ſhall indorſe the ſame in the manner marked G. and deliver them to the party who made payment: that he ſhall every quarter of a year cauſe a liſt of the balances on the treaſury books to be made out by his clerks, and lay it before Congreſs. That where any perſon hath received public monies, which remain unaccounted for, or ſhall be otherwiſe indebted to the United States, or have an unſettled account with them, he ſhall iſſue a ſummons in the form marked H, in which a reaſonable time ſhall be given for the appearance of the party, according to the diſtance of his place of reſidence from the treaſury, of which he ſhall notify the auditor:

That

That, in caſe the party ſummoned to account ſhall not appear, nor make good eſſoign, the auditor, on proof made of ſervice in due time or other ſufficient notice, ſhall make out a requiſition in the form marked I, which he ſhall ſend to the comptroller's office, where the ſame ſhall be ſealed, and then it ſhall be ſent to the executive authority of the ſtate in which the party ſhall reſide:

That it be recommended to the ſeveral ſtates to enact laws for the taking of ſuch perſons, and alſo to ſeize the property of perſons, who being indebted to the United States ſhall neglect or refuſe to pay the ſame; notice whereof ſhall be given by the auditor to the executive authority of the reſpective ſtates, in the form marked K, under the treaſury ſeal:

That the ſeveral officers of the treaſury do, before they take upon them the execution of their offices reſpectively, before the preſident of Congreſs for the time being, make and ſubſcribe the following oath, viz.

"I A. B. ——— in the treaſury of the United States, "ſolemnly and ſincerely ſwear, promiſe and declare, in "the preſence of Almighty God, that I will diligently "and faithfully, according to the beſt of my ſkill and "underſtanding, in all things do my duty as a ——— "as aforeſaid, without fear, favour, affection, or parti-"ality."

Forms referred to.

A. Account between the United States and ——— with the vouchers referred to ——— commiſſioners of accounts, the —— day of —— in the year ——

A. B. auditor.

B. The within account hath been ſtated, the caſtings examined, and the vouchers arranged, by

C. D. }
E. F. } clerks of accounts.

C. The within account, ſtated by ——— and ——— clerks of accounts, between the United States and ——— hath been examined and ſettled, and a balance of ——— found to be due to ——— by

G. H. }
I. K. } commiſſioners of accounts.
L. M. }

D. Audited the accounts between the United States and ——— ſtated by ——— and ——— clerks of accounts, and examined by ——— and ——— commiſſioners

oners of acounts, for a balance of —— due to ——
Done the —— day of —— in the year ——

A. B. Auditor.

E. To the treaſurer of the United States, greeting.

(L. S.) You are required to pay the ſum of —— to ——— or his order, according to (ſay either account audited, &c. &c. or a reſolution of Congreſs, &c.) whereof entry is made the —— day of —— in the year ——

N. O. comptroller.

F. Day is given to ——— until the —— day of —— next, for the ſum of —— by his aſſent. Given the —— day of —— in the year ——

N. O. comptroller.

G. Entered in the treaſury books the —— day of —— in the year ——

N. O. comptroller.

H. To ——— greeting, you are required, on or before the —— day of —— next, to appear before the auditor in the treaſury office of the United States, at —— then and there to adjuſt and ſettle your accounts, whereof take notice. Given —— the —— day of —— in the year ——

N. O. comptroller.

I. To ——— greeting. The United States having ſummoned ——— to account, the which he hath neglected to do, it is their requeſt that you do cauſe to be taken and ſent the ſaid ——— before them, on the —— day of —— next, before the auditor in their treaſury, at —— then and there to account; that juſtice may in this behalf be done. Given the —— day of ——

Witneſs, A. B. auditor.

K. The United States to ——— greeting.

(L. S.) Whereas ——— hath been before us in our treaſury found to be indebted in the ſum of —— which ſum was by his aſſent to be paid before the —— day of —— in the year —— but is not yet paid, or in any manner ſatisfied. Theſe therefore are thereof to notify you, to the end that you, according to the powers and authorities unto you given, may of the eſtate of the ſaid ——— cauſe to be made the ſum aforeſaid, with the coſts and charges which may accrue: and of your proceedings in the premiſes you are deſired to certify us in our ſaid treaſury, with all convenient ſpeed. Given the —— day of —— &c.

Witneſs, A. B. auditor.

That

That in the blanks of the forms above written no figures be uſed, either for dates or ſums; but that the ſame be diſtinctly and plainly ſet in words at length, and without erazures or interlineations.

Reſolved, That a committee of three be appointed to prepare a ſeal for the treaſury and for the navy;

The members choſen Mr. Witherſpoon, Mr. G. Morris and Mr. R. H. Lee.

The committee to whom were referred the letters from the board of war, relative to the cannon imported into North-Carolina, having brought in a report;

Ordered, That the conſideration thereof be poſtponed to Monday next.

The committee on the treaſury brought in a report; whereupon

Reſolved, That ten million one hundred dollars be emitted in bills of credit on the faith of the United States, under the direction of the board of treaſury:

That two new cuts be uſed in ſtriking the ſaid bills, one of the denomination of ſixty the other of fifty dollars, in the place of four and ſix dollar cuts of the former emiſſions;

That the denominations of the bills be as follows:

45455	of the denomination of	60 dollars	2,727,300
45455	do.	50	2,272,750
45455	do.	40	1,818,200
45455	do.	30	1,363,650
45455	do.	20	909,100
45455	do.	8	363,640
45455	do.	7	318,185
45455	do.	5	227,275
			10,000,100

That the form of the bills be as follows:

" No. ——— dollars.

" This bill entitles the bearer to receive ——— Spaniſh milled dollars, or the value thereof in gold or ſilver, according to a reſolution paſſed by Congreſs at Philadephia, September 26, 1778:"

That each denomination or claſs of bills be numbered from number one progreſſively:

That the thirteen United States be pledged for the redemption of the bills of credit now ordered to be emitted.

Reſolved,

Resolved, That Charles Alexander, Richard Eyres, and Samuel Lyon, be appointed signers of the bills of credit, in addition to those already appointed.

Adjourned to nine o'clock on Monday.

MONDAY, *September* 28, 1778.

Mr. Meriwether Smith, a delegate from Virginia, attended and took his seat in Congress.

A letter of the 21st from captain William Burke, on board the prison ship Prince of Wales, was read:

Ordered, That it be referred to the marine committee, and that they be directed to enquire into the conduct of captain William Burke, and particularly into his former conduct while in the power of the enemy.

A letter of the 18th from major general Sullivan was read:

Ordered, That so much thereof as relates to cloathing be referred to the board of war, and so much thereof as relates to money to the board of treasury.

A letter of the 24th from governor Livingston was read:

Ordered, That it be referred to the board of war.

A letter of the 26th from James Searle, one of the navy board in the middle district, was read, desiring leave to resign his office:

Resolved, That his resignation be accepted.

A letter of the 23d from general Washington was read, with sundry papers inclosed:

Ordered, That the same be referred to the committee on the memorial from colonel Blaine, and letter from colonel H. Hollingsworth.

The president laid before Congress a letter dated New-York, September 19th, 1778, signed "H. Clinton," and directed to "his excellency Henry Laurens, esquire, "the president and others, the members of the Ameri-"can Congress, at Philadelphia," inclosing a paper purporting to be "an extract of a letter from the right ho-"nourable lord George Germaine, one of his majesty's "principal secretaries of state, to his excellency general "sir Henry Clinton, K. B." &c. &c. dated at Whitehall, June 12th, 1778, which were read: whereupon

Ordered, That the secretary return the following answer:

"Sir,

"Sir,

"I am directed to inform you that the Congreſs of "the United States of America make no anſwer to inſo- "lent letters.

"I am, &c."

Three o'clock, P. M.

Reſolved, That three commiſſioners be appointed to collect and report the proofs of breach made by the enemy in the convention of Saratoga:

That to-morrow be aſſigned for electing the ſaid commiſſioners.

Mr. Carmichael attending was called in and ſworn, and ſundry queſtions being aſked and anſwers returned, he had leave to withdraw.

Ordered, That Mr. Carmichael attend at the bar of this houſe on Wedneſday next at ten o'clock, to be farther examined.

Adjourned to nine o'clock to-morrow.

TUESDAY, *September* 29, 1778.

A letter from John Stoddard, lieutenant of the Mermaid, was read:

Ordered, That it be referred to the marine committee.

A letter of Auguſt 26th from major general R. Howe, and

One of Auguſt 31ſt from his excellency preſident Lowndes, of South Carolina, were read:

Ordered, That they be referred to a committee of three;

The members choſen Mr. Duer, Mr. Matthews and Mr. Telfair.

Another letter of the 5th inſtant from major general R. Howe, was read:

Ordered, That it be referred to the foregoing committee.

The committee of foreign affairs laid before Congreſs a letter of Auguſt 26th from Mr. William Bingham, at Martinique, which was read:

Ordered, That it be returned to the committee, and that they be directed to report thereon.

A memorial from Alexander M'Nut was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Lovell, Mr. Marchant and Mr. Bartlett.

A letter

A letter of this day from lieutenant colonel Ternant was read:

Ordered, That it be referred to the board of war.

The committee to whom was referred the motion relative to count Pulaſki, brought in a report, which was read:

Ordered, That the conſideration thereof be poſtponed.

The committee on the treaſury brought in a report; whereupon

Reſolved, That Michael Hillegas, eſquire, treaſurer, be directed to deliver the check books of the loan-office certificates, which he has iſſued to lenders, to Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, who is directed to pay the intereſt ariſing on ſuch certificates.

Reſolved, That two per cent. be allowed to the commiſſioners of the loan-offices of the United States on the amount of intereſt which has been or ſhall be paid by them reſpectively, in lieu of all claims and demands which they may have for tranſacting the ſaid buſineſs.

Reſolved, That Thurſday next be aſſigned for electing a manager of the United States lottery, in the room of Mr. Searle, who has reſigned.

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, in favour of the managers of the United States lottery, for thirteen lottery-office certificates of one thouſand dollars each, and one hundred and forty-ſix lottery-office certificates of five hundred dollars each, amounting in the whole to eighty-ſix thouſand dollars, to enable the ſaid managers to pay off the high prizes drawn in the firſt claſs of the ſaid lottery; they to be accountable.

Congreſs proceeded to the election of a commiſſioner of accounts at the treaſury office, and the baliots being taken,

Mr. Reſolve Smith was elected.

Congreſs took into conſideration the report of the board of war, of the 8th of April laſt, relative to the contract made with meſſieurs Daniel and Samuel Hughes; whereupon

Reſolved, That meſſieurs Daniel and Samuel Hughes be allowed one hundred and eighty ſix dollars and two thirds of a dollar per ton for all cannon already caſt by them in virtue of their contract, whether delivered or not, and which

which have ſtood or ſhall ſtand proof, in full of all claims and accounts; the guns not delivered to be taken when proved at the furnace, from whence they are tranſported at continental expence.

Congreſs reſumed the conſideration of the report of the committee on the letters of the 21ſt and 29th of laſt month from the board of war, and a letter of Mr. Holker, relative to cannon imported into the ſtate of North-Carolina; whereupon

Reſolved, That the cannon mentioned in the ſaid letters be ſold to the ſtates of Virginia and North-Carolina, the former to have twenty-four and the latter twenty-five, dividing them equally as to weight of mettle:

That the ſaid ſtates be allowed to purchaſe the ſaid cannon on the terms the United States have imported them.

Ordered, That the hearing of Mr. Deane be poſtponed till the examination of Mr. Carmichael is finiſhed, and that Mr. Deane be informed thereof.

Three o'clock, P. M.

A letter of this day from colonel Wadſworth, and one from Mr. Owen Biddle, with ſundry papers incloſed, were read:

Ordered, That they be referred to the committee on the memorial of colonel Blaine and the letter from colonel H. Hollingſworth.

Congreſs took into conſideration the report of the committee on finance, and after ſome time ſpent thereon,

Ordered, That the farther conſideration thereof be poſtponed to Thurſday next.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *September* 30, 1778.

A letter of the 28th from governor Livingſton was read:

Ordered, That it be referred to the board of war.

Ordered, That count Pulaſki, with his legion and all continental ſoldiers fit for ſervice in and near Philadelphia, be directed to repair immediately to Princeton, there to wait the orders of general Waſhington or the commanding officer in New-Jerſey.

A letter of the 23d from major general Sullivan was read, together with a letter incloſed from lieutenant Samuel

Samuel Arnold, containing a reſignation of his commiſſion; alſo one from Elias Blanchard, containing a reſignation of his commiſſion:

Reſolved, That the reſignation of the ſaid lieutenant Samuel Arnold and of enſign Elias Blanchard be accepted.

Reſolved, That major general Sullivan be authoriſed to accept the reſignation of ſuch officers in the army under his command as he ſhall think proper.

A letter of the 24th from major general Sullivan was read, incloſing a recommendation of captain Ebenezer Sullivan by major general Greene and others:

Ordered, That the ſame be referred to the board of war, and that they be directed to enquire whether captain E. Sullivan has been duly releaſed from all obligations as an hoſtage for the troops captivated at the Cedars.

A letter of the 21ſt from major general Heath was read, incloſing ſundry letters that paſſed between him and major general Philips, reſpecting the ſettlement of the accounts for the ſupplies of the troops of the convention of Saratoga:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Gerry, Mr. Duer and Mr. M. Smith.

Mr. Carmichael attending according to order, was called in, and the houſe proceeded in his examination.

Ordered, That Mr. Carmichael attend on Friday afternoon, to be further examined.

Adjourned to nine o'clock to-morrow.

THURSDAY, *October* 1, 1778.

Mr. Sherman, a delegate from Connecticut, attended and took his ſeat in Congreſs.

A letter of September 30th from the board of war was read, with ſundry papers incloſed:

Ordered, That the ſame be referred to a committee of five;

The members choſen Mr. Sherman, Mr. Henry, Mr. Marchant, Mr. Matthews and Mr. Reed.

A letter of September 12th from captain Henry Johnſtone, at Boſton, was read:

Ordered, That it be referred to the marine committee.

A petition of captain Francis Tartanſon was read:

Ordered,

Ordered, That it be referred to the board of war.

A memorial from James Oellers, one of the owners of the Duck Creek packet, was read; whereupon

Congreſs took into conſideration the report of the committee on the petition from the ſaid James Oellers and Henry Horn, and thereupon

Reſolved, That the loſs of the ſchooner Duck Creek packet ought not to be ſuſtained by the United States, and that general Mifflin be ſerved with a copy of this reſolution.

The committee of commerce having, according to order, obtained from meſſieurs Hewes and Smith a return of the continental ſtores that have been received and delivered by them as agents for the United States in North-Carolina, laid the ſame before Congreſs; whereupon

Congreſs reſumed the conſideration of the report of the committee of commerce, reſpecting meſſieurs Hewes, Smith and Allen; and thereupon

Ordered, That a warrant be drawn on the treaſurer in favour of meſſieurs Hewes, Smith and Allen, continental agents in the ſtate of North-Carolina, for the ſum of twenty-ſeven thouſand four hundred and forty-nine dollars and 73-90ths, being in full of the balance due to them, as reported on a ſettlement of their accounts by the committee of commerce:

Ordered, That ſo much of the ſaid report as reſpects the brigantine Commerce be re-committed, and that the committee report ſpecially thereon.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of captain William Henderſon, for ſix thouſand two hundred and thirty dollars, in diſcharge of a bill in his favour, drawn by William Palfrey, eſquire, paymaſter general, dated September 15, 1778; for which ſum the ſaid paymaſter general is to be accountable.

Three o'clock, P. M.

A letter of this day from the board of war, and a letter of September 29th from count Pulaſki, were read.

Adjourned to nine o'clock to-morrow.

FRIDAY,

FRIDAY, *October* 2, 1778.

Reſolved, That one thouſand dollars be advanced to lieutenant colonel Ternant, for which he is to be accountable; and that he be entitled to the benefits of the reſolution of Congreſs of September 4th, in regard to his travelling expences to South-Carolina.

Reſolved, That Friday next be aſſigned for receiving and conſidering the report of the committee of arrangement.

Ordered, That Monday next be aſſigned for taking into conſideration the ſtate of the cloathing, and that the board of war on that day lay before Congreſs an account of the cloathing provided and the meaſures by them taken for forwarding the ſame to the army.

A letter of the 1ſt from the board of war was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Duer, Mr. Matthews and Mr. Stone.

Reſolved, That Mr. Henry be appointed a member of the marine committee, for the ſtate of Maryland.

The committee on the memorial from colonel Blaine and letter from colonel Hollingſworth brought in a report, which was read.

Three o'clock, P. M.

A letter of this day from Mr. chief juſtice M'Kean was read; whereupon Congreſs came to the following reſolutions;

Whereas complaint has been made to Congreſs that brigadier count Pulaſki has reſiſted the civil authority of this ſtate:

Reſolved, That the board of war do require his perſonal attendance at the war office at nine o'clock to-morrow morning, and that he continue in Philadelphia until enquiry can be made therein, and until the further order of Congreſs; it being the fixed determination of Congreſs to diſcourage and ſuppreſs every oppoſition to civil authority by any officer in their ſervice.

Congreſs reſumed the conſideration of the report of the committee on the memorial of colonel Blaine and letter from colonel Hollingſworth; and thereupon came to the following reſolutions:

Whereas the ſcantineſs of crops of wheat and other grain in the ſtates of New-York, New-Jerſey, Pennſylvania,

nia, Delaware, Maryland and Virginia, and the wicked arts of ſpeculators, foreſtallers, and engroſſers, who inteſt every quarter of the country, and are induſtriouſly purchaſing up grain and flour at the moſt exorbitant prices, render it impracticable to obtain timely and ſufficient ſupplies for the operations of the army and navy, unleſs the moſt vigorous meaſures are without delay adopted to reſtrain practices ſo deſtructive to the public weal:

Reſolved, That it be earneſtly recommended to the legiſlative or, where veſted with ſufficient power, to the executive authorities of the ſtates above mentioned, to authoriſe and direct any civil magiſtrate within their reſpective juriſdictions, on an information given by the commiſſary or quartermaſter general, or by the deputy commiſſary or quartermaſter general of the reſpective diſtricts, of any extraordinary quantity of grain or flour being purchaſed and in the poſſeſſion of individuals, forthwith to iſſue his warrant, impowering the informant to ſeize the ſame for the public uſe, paying for the ſame ſuch prices as to the reſpective legiſlatures appear proper, to prevent the practice of engroſſing thoſe articles in future, not exceeding ſix dollars per hundred for flour, and in proportion for grain which may be found in the hands of engroſſers.

And whereas the facilitating the ſupply of the army, which was one of the principal objects in laying the embargo, has been defeated by individuals purchaſing up grain and flour with a view of exporting the ſame at the expiration of the term for which the embargo is laid in the reſpective ſtates:

Reſolved, That the embargo on proviſions, which, by the reſolution of the 8th day of June laſt, was laid until the 15th day of November next, be continued in force, ſubject to ſuch exceptions as are recommended by the reſolution of September 2d, till the laſt day of January, 1779, or until ſuch time as Congreſs ſhall give notice to the reſpective ſtates that ſufficient ſupplies have been obtained for the operations of the army and for the French ſquadron; and that it be recommended to the reſpective ſtates to take the moſt effectual meaſures for carrying this reſolution into effect.

On conſidering this part of the report, the committee having offered, as their opinion, that it be recommended to the legiſlative or executive authorities of the reſpective ſtates *to continue* in force the preſent embargo, &c.

An amendment was moved, That Congreſs ſhould *continue* the embargo, and recommend it to the ſtates to take meaſures for inforcing it:

Upon which the queſtion being put,

And the yeas and nays required by Mr. Reed,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*ay*
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
Pennſylvania,	Mr. Reed,	*no*	*no*
	Mr. James Smith,	*ay*	
	Mr. Clingan,	*no*	
Maryland,	Mr. Stone,	*no*	*no*
	Mr. Forbes,	*ay*	
	Mr. Henry,	*no*	
Virginia,	Mr. Harvie,	*no*	*no*
	Mr. R. H. Lee,	*ay*	
	Mr. M. Smith,	*no*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*no*	
Georgia,	Mr. Walton,	*no*	*no*
	Mr. Telfair,	*no*	

So it was reſolved in the affirmative, and the report being amended paſſed as above.

Reſolved, That it be farther recommended to the legiſlatures of the ſeveral ſtates to paſs laws for the ſeizure and forfeiture of all grain and flour purchaſed up or engroſſed, with ſuch exceptions and under ſuch limitations and reſtrictions as they may think moſt expedient.

And whereas there is reaſon to believe that the end propoſed by Congreſs in recommending an exemption from embargo, by their reſolution of September 2d, may not only be defeated by private purchaſers enhancing prices, or by captains making falſe proteſts and bearing away to foreign ports; but in caſes where veſſels may actually ar-

rive

rive in ſome ports of the eaſtern ſtates, the cargoes may be engroſſed by individuals at an extravagant rate, with a view of preying upon the public: to guard againſt which evils,

Reſolved, That it be earneſtly recommended to the legiſlative and executive authorities of the reſpective ſtates, not to grant any exemption from embargo to any veſſels whatever, unleſs, in addition to the former ſecurity recommended, the perſons applying for the ſame comply with the following ſtipulations, to wit;

That the ſhipper or ſhippers of the cargo ſolemnly make oath, that no part of the flour or grain propoſed to be ſhipped has been purchaſed or contracted for ſince the 10th of October, 1778:

That the ſhipper and every man on board of the ſaid veſſels, whether ſeamen or paſſengers, ſolemnly ſwear that they will not, directly or indirectly, be privy to or concerned in any meaſure whatſoever, which may tend to defeat the arrival of the veſſel at ſome ſafe port in one of the eaſtern ſtates; but that they will, without any deception, mental reſervation or equivocation whatever, take every meaſure to carry into effect the intention of the licenſe granted:

That the ſhipper ſhall firſt agree with the commiſſary general, or perſon by him duly authoriſed, for ſuch purpoſe, on the price for which the flour ſhipped ſhall be delivered at one of the ports in the eaſtern ſtates for the public uſe.

Reſolved, That the exemption from the embargo, as recommended by the reſolution of Congreſs of September 2d, be extended to veſſels belonging to the middle and ſouthern as well as thoſe of the eaſtern ſtates, under the reſtrictions and ſtipulations above mentioned.

Reſolved, That the commiſſary general be authoriſed to diſpatch proviſion veſſels to the eaſtward, with or without convoy, as in his judgment ſhall be moſt conducive to the certain and ſpeedy ſupply of thoſe articles for the army of the United States and the fleet of count d'Eſtaing, notwithſtanding any reſolution of Congreſs heretofore made on this ſubject.

Ordered, That the committee have leave to ſit again.

Adjourned to ten o'clock to-morrow.

SATURDAY,

SATURDAY, *October* 3, 1778.

A letter of the 2d from brigadier count Pulaſki, and one of the 3d from the board of war, were read; whereupon

Ordered, That the board of war be directed to enquire into the claim made againſt brigadier count Pulaſki, on which he has been lately arreſted, and if ſuch claim has ariſen for articles furniſhed to his legion, that the board pay what ſhall appear to them reaſonable, and if not accepted, that the board procure bail to the ſuit, and that the board be directed to inform brigadier Pulaſki that it is the duty of every military officer in the ſervice of theſe ſtates to yield obedience to any proceſs iſſuing from any court, judge or magiſtrate within any of the United States.

Ordered, That ſo much of count Pulaſki's letter as relates to his legion be referred to the board of war.

The committee for foreign affairs laid before Congreſs a letter of June 1ſt from the honourable A. Lee, at Paris, which was read.

Ordered, That the honourable Silas Deane, eſquire, be furniſhed with a copy of the ſaid letter, ſo far as relates to him.

Adjourned to nine o'clock on Monday.

MONDAY, *October* 5, 1778.

A letter of September 25th from major general Sullivan, and one of the 23d of the ſame month from major general the marquis de la Fayette, and one of the 18th of the ſame month from Jonathan Trumbull, junior, late paymaſter in the northern department, were read.

A letter of September 29th from general Waſhington was read:

Ordered, That ſo much thereof as relates to the army be referred to the board of war.

A letter of September 29th from major John Clark, one of the auditors in the army; a memorial of captains Gilbert and Holmes; and a letter from John Beatty, commiſſary general of priſoners; were read; whereupon

Ordered, That fifty thouſand dollars in ſpecie be advanced to colonel J. Beatty, commiſſary general of priſoners, for the uſe of the priſoners in the hands of the enemy, and

and to discharge the debts of those exchanged; and that the commissary general make monthly returns of his expenditures to the board of treasury.

On application of the delegates of North-Carolina, in pursuance of a resolve of the general assembly of that state, passed April 30th, 1778;

Ordered, That ten thousand dollars be advanced to the said delegates, for the use of the state of North-Carolina, and for which the said state is to be accountable.

Resolved, That commissions be made out for the officers in count Pulaski's legion, and dispatched to them by express by the board of war.

A letter of this day from the board of war was read, with a letter inclosed relative to the enemy's appearance off Egg-Harbour:

Resolved, That a committee of four be appointed to confer with the supreme executive council of the state of Pennsylvania on the best means of repelling the enemy;

The members chosen Mr. R. Morris, Mr. Duer, Mr. R. H. Lee and Mr. Reed.

A letter of September 18th from Mr. president Weare, of the state of New-Hampshire, was read; whereupon Congress took into consideration a report of the board of treasury of July 25th last; and thereupon

Ordered, That a warrant issue on the treasurer in favour of the delegates of the state of New-Hampshire, for one hundred and fifty thousand dollars, for the use of the said state, being advanced on the application of the same:

That another warrant issue on Nicholas Gilman, esquire, commissioner of the continental loan-office in the state of New-Hampshire, for fifty thousand dollars, for the use of the said state, advanced upon the same application; for which sums, amounting to two hundred thousand dollars, the said state is to be accountable.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on John Gibson, esquire, auditor general, in favour of Mr. J. Banister, one of the delegates from the state of Virginia, for fifteen hundred dollars, advanced upon his application; for which the said state is to be accountable:

That a warrant issue on the treasurer in favour of Mr. C. Harnett, one of the delegates of the state of North-Carolina,

Carolina, for one thouſand dollars, advanced upon his application; for which the ſaid ſtate is to be accountable:

That a warrant iſſue on the treaſurer in favour of James Meaſe, eſquire, cloathier general, for thirty thouſand dollars, to be by him advanced to William Gardner, agent in New-Hampſhire, for compleating his purchaſes of cloathing and making up the ſame; the ſaid cloathier general to be accountable.

Whereas it is repreſented by ſeveral commiſſioners of the continental loan-offices that they have received for loan-office certificates and lottery tickets of the United States conſiderable ſums in bills of credit emitted by ſtates, who, by acts of their reſpective legiſlatures, have ſtopped the circulation of ſuch bills:

Reſolved, That it be recommended to the ſaid ſtates to direct their treaſurers to receive ſuch bills of credit from the ſaid commiſſioners reſpectively, and deliver in exchange continental currency to the amount thereof; the ſaid commiſſioners declaring on oath, if required, that ſuch bills were received by them in virtue of their office.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to Thomas Paine, ſecretary to the committee for foreign affairs, his pay from the 17th of February to the 17th of September, 1778, being ſeven months at ſeventy dollars per month, four hundred and ninety dollars:

Ordered, That the ſaid account be paid.

The board of war having, according to order, made return of the cloathing on hand as far as has come to their knowledge;

Ordered, That the ſame, together with the report of the committee on general Waſhington's letter of Auguſt 4th, be referred to a committee of three;

The members choſen Mr. Sherman, Mr. G. Morris and Mr. Gerry.

Ordered, That the ſecretary purchaſe an atlas for the uſe of Congreſs.

Ordered, That Mr. Carmichael attend this afternoon at four o'clock, to be further examined.

Three o'clock, P. M.

Reſolved, That the legion under command of count Pulaſki be ordered to proceed immediately to aſſiſt in the defence

defence of little Egg Harbour againſt the attack now making by the enemy on that port:

That the board of war be directed to take immediate meaſures for communicating this order to the count.

Mr. Carmichael attending according to order, was called in, and being further examined was ordered to withdraw.

Information having been given to Congreſs of a report that ſome of the officers belonging to the troops of the convention of Saratoga have been permitted to go into New-York on parole, and that ſuch permiſſion and paroles have been granted by the deputy commiſſary of priſoners in the eaſtern department;

Ordered, That the preſident write to major general Heath on this ſubject, and direct him to enquire into this matter, and take order thereon.

Adjourned to nine o'clock to-morrow.

TUESDAY, *October* 6, 1778.

A letter of September 23d from meſſieurs Otis and Andrews, to the board of war, was laid before Congreſs and read:

Ordered, That it be referred to the committee on the cloathier's department.

Mr. Scudder, a delegate from New-Jerſey, attended and took his ſeat in Congreſs.

The committee of commerce brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the committee of commerce, for ſixteen thouſand ſix hundred and ſixty-ſix dollars and two thirds of a dollar, to be by them tranſmitted to John Langdon, eſquire, continental agent at Portſmouth in the ſtate of New-Hampſhire, for the purpoſe of lading the French ſhip Ducheſs of Gramont and other contingent charges.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. J. Lovell, for account of John Hancock, eſquire, for three hundred dollars, being ſo much advanced by him to William Dodd and Patrick M'Cloſky, for public ſervice, and paſſed to their accounts in the treaſury office, and that the ſaid ſum be charged to Mr. Hancock.

Congreſs

Congreſs reſumed the conſideration of the report of the committee on finance, and made ſome progreſs therein.

Three o'clock, P. M.

A letter of September 25th from Mr. J. Baynton, paymaſter at Fort Pitt, was read:

Ordered, That it be referred to the board of treaſury.

A letter of September 24th from Andrew Lewis and Thomas Lewis, eſquires, commiſſioners at Fort Pitt, was read, together with their proceedings at a treaty with the chiefs of the Delaware nation, and an agreement or confederation entered into between them and the ſaid chiefs, and other papers incloſed:

Ordered, That the ſame be referred to a committee of three;

The members choſen Mr. Harvie, Mr. Drayton and Mr. Matthews.

A letter of Auguſt 20th from governor Houſton, of Georgia, was read:

Ordered, That the ſame, together with the letter of September 3d from major general R. Howe, be referred to a committee of three;

The members choſen Mr. Drayton, Mr. Telfair and Mr. Marchant.

Reſolved, That governor Livingſton be requeſted to uſe his utmoſt diligence in obtaining the beſt information, upon oath, of the treatment of lieutenant colonel Baylor and his party by the enemy who attacked them; ſpecifying the time when the attack was made.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *October* 7, 1778.

A letter of this day from S. Deane, eſquire, was read:

Ordered to lie on the table.

A letter of the 3d from general Waſhington was read, accompanied with the proceedings of a court-martial on the trial of major general St. Clair.

Congreſs reſumed the conſideration of the report of the committee on finance, and ſome progreſs being made therein,

Adjourned to nine o'clock to-morrow.

THURSDAY,

THURSDAY, *October* 8, 1778.

Mr. Ellſworth, a delegate from Connecticut, attended and took his ſeat in Congreſs.

A letter of September 25th from Peter Colt, eſquire, deputy commiſſary general of purchaſes, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Witherſpoon, Mr. Gerry and Mr. Sherman.

A motion was made that the proceedings of the court-martial on the trial of major general St. Clair, and the papers accompanying them, be referred to a committee:

To which an amendment was moved to add "of the whole houſe;"

And on the queſtion to agree to the amendment,

The yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Ellſworth,	*no*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
	Mr. Scudder,	*no*	
	Mr. Elmer,	*no*	
Pennſylvania,	Mr. Reed,	*ay*	*ay*
	Mr. J. Smith,	*ay*	
	Mr. Clingan,	*no*	
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Stone,	*ay*	
	Mr. Henry,	*no*	
Virginia,	Mr. Harvie,	*no*	*divided*
	Mr. R. H. Lee,	*no*	
	Mr. M. Smith,	*ay*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*no*	

Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*ay*	
	Mr. Langworthy,	*ay*	

So it paſſed in the negative.

The main queſtion was then put;

The yeas and nays being required by Mr. Duer,

New Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Ellſworth,	*no*	
New-York,	Mr. Lewis,	*no*	*no*
	Mr. Duer,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*no*
	Mr. Elmer,	*no*	
	Mr. Scudder,	*no*	
Pennſylvania,	Mr. Reed,	*no*	*no*
	Mr. James Smith,	*no*	
	Mr. Clingan,	*no*	
Maryland,	Mr. Chaſe,	*no*	*no*
	Mr. Stone,	*no*	
	Mr. Henry,	*no*	
Virginia,	Mr. Harvie,	*no*	*no*
	Mr. R. H. Lee,	*no*	
	Mr. M. Smith,	*no*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*no*	
Georgia,	Mr. Walton,	*no*	*no*
	Mr. Telfair,	*no*	
	Mr. Langworthy,	*no*	

So it paſſed in the negative.

Ordered, That one hundred copies of the proceedings of the court-martial on the trial of major general St. Clair, together with his defence, be printed for the uſe of the members.

Three

Three o'clock, P. M.

Congreſs reſumed the conſideration of the report of the committee on finance; whereupon a motion was made That the determination of the queſtion, viz. "That all limitations of prices of ſilver and gold be taken off;" which was yeſterday poſtponed at the requeſt of a ſtate, be further poſtponed:

On which the yeas and nays being required by Mr. Gerry,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Ellſworth,	*no*	
New-York,	Mr. Lewis,	*no*	*no*
	Mr. Duer,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
	Mr. Elmer,	*no*	
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. R. Morris,	*no*	*no*
	Mr. Reed,	*no*	
	Mr. James Smith,	*no*	
	Mr. Clingan,	*no*	
Maryland,	Mr. Henry,	*no*	*
Virginia,	Mr. Harvie,	*no*	*no*
	Mr. R. H. Lee,	*no*	
	Mr. M. Smith,	*no*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*no*	
Georgia,	Mr. Walton,	*no*	*divided*
	Mr. Telfair,	*ay*	

So it paſſed in the negative.

On the queſtion to agree to that part of the report,

The yeas and nays being required by Mr. Gerry,

New-Hampſhire,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adam	*no*	
	Mr. Gerry,	*no*	*no*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Elmer,	*ay*	
	Mr. Scudder, *excuſed, not having been preſent at the debate.*		
Pennſylvania,	Mr. R. Morris,	*ay*	*ay*
	Mr. Reed, *excuſed, not having been preſent at the debate.*		
	Mr. J. Smith,	*ay*	
	Mr. Clingan,	*ay*	
Maryland,	Mr. Henry,	*ay*	*
Virginia,	Mr. Harvie,	*ay*	*ay*
	Mr. R. H. Lee,	*ay*	
	Mr. M. Smith,	*ay*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Matthews,	*ay*	
Georgia,	Mr. Walton,	*ay*	*divided*
	Mr. Telfair,	*no*	

So it was reſolved in the affirmative.
Adjourned to nine o'clock to-morrow.

FRIDAY, *October* 9, 1778.

A petition from Eliſha Doane was read, accompanied with the proceedings of a court of admiralty for the ſtate of New-Hampſhire, on the libel "Treadwell and Penhallow verſus brig Suſannah," &c. praying that he may be allowed an appeal to Congreſs:

Ordered, That the ſame be referred to the committee on appeals.

Reſolved, That Mr. Ellſworth be appointed a member of the marine committee, for the ſtate of Connecticut.

Ordered,

Ordered, That Friday next be aſſigned for taking into conſideration the proceedings and ſentence of the court-martial on the trial of major general Lee.

A letter of September 8th from major general Schuyler was read, with a petition incloſed from Dominique L'Eclife:

Ordered, That the ſame be referred to the board of war.

A letter of September 30th from major general Heath was read, with a paper of intelligence incloſed:

Ordered, That the ſame be referred to the board of war.

A report from the board of war was read; whereupon

Reſolved, That if any of the ſtates in which colonel Moſes Rawlins ſhall recruit for his regiment ſhall give to perſons enliſting in the ſame, for three years or during the war, the bounty allowed by the ſtate, in addition to the continental bounty, the men ſo furniſhed, not being inhabitants of any other of the United States, ſhall be credited to the quota of the ſtate in which they ſhall be inliſted.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to the officers and privates of the invalid regiment, commanded by colonel L. Nicola, for pay and ſubſiſtance for the month of Auguſt laſt, the ſum of one thouſand five hundred and fifty-eight dollars and 25-90ths.

That there is due to Paul Feager, nine hundred and ſeven dollars and 15-90ths, being a balance due for two hundred and thirteen reams of money paper delivered to Hall and Sellers:

That there is due to John Thaxter, his pay as clerk in the ſecretary's office from June 16th to October 16th, 1778, three hundred and ſixty-ſix dollars and two thirds of a dollar, and for extra expences from York-Town to Philadelphia twenty-five dollars, making in the whole three hundred and ninety one dollars and 60-90ths:

That there is due to William Hurrie, for his ſervices as door-keeper to Congreſs, from July 3d to September 30th, 1778, incluſive, one hundred and ſixty-one dollars, and for caſh advanced for ſundry ſmall articles for the uſe of the houſe, ſeventeen dollars and 54-90ths, making in the whole one hundred and ſeventy-eight dollars and 54-90ths:

Ordered, That the ſaid accounts be paid.

Congreſs

Congreſs reſumed the conſideration of the report of the committee on finance, and ſpent ſome time thereon.

Three o'clock, P. M.

Reſolved, That three hundred dollars be allowed to Mr. J. Nourſe, paymaſter to the board of war and ordnance, over and above his pay, in compenſation of his trouble and riſque in paying the ſums of money intruſted to him.

Reſolved, That the ſum of three hundred dollars be paid to Mr. John Thaxter, in reward for his extra ſervices as clerk in the ſecretary's office.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the paymaſter of the board of war and ordnance, for two hundred thouſand dollars, to anſwer the demands of the board in proſecuting the purchaſe of ſhoes, hats, blankets, hoſe, and mittens; the ſaid paymaſter to be accountable:

That a warrant iſſue on the treaſurer in favour of colonel Benjamin Flower, commiſſary general of military ſtores, for one hundred thouſand dollars, being advanced on the application of the board of war and ordnance, for the uſe of his department; for which he is to be accountable.

A letter of this day from John Connolly was read:

Ordered, That it be referred to the committee on the letter of September 15th from Mr. Beatty, commiſſary of priſoners.

The committee of arrangement brought in a report:

Ordered, That Monday next be aſſigned for taking the ſame into conſideration.

Ordered, That the board of war lay on the table the three laſt returns of the continental army.

Reſolved, That two members be added to the committee on the cloathing department;

The members choſen Mr. Reed and Mr. Duer.

Adjourned to ten o'clock to-morrow.

SATURDAY, *October* 10, 1778.

A letter of the 4th from doctor W. Shippen, director general, was read, incloſing a return of the ſick in the hoſpital:

Ordered, That it be referred to the medical committee.

A letter

A letter of the 8th from colonel Pickering, of the board of war, was read:

Ordered. That it be referred to a committee of three, and that they confer with colonel Pickering and report to Congreſs;

The members choſen Mr. Harvie, Mr. Lovell and Mr. Scudder.

The committee to whom was referred the letter of September 30th from the board of war brought in a report:

Ordered to lie on the table.

The marine committee brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of James Read, paymaſter to the navy board in the middle diſtrict, for two thouſand ſix hundred and ſixty-ſix dollars and 60-90ths, in full for two years wages, ending the 5th day of December, 1777, and in full compenſation for his extra ſervices during that time.

Reſolved, That the marine committee be authoriſed to employ Mr. James Read as paymaſter and clerk to the navy board in the middle diſtrict, and allow him for his ſervices at a rate not exceeding two thouſand dollars a year, to commence from the 5th of December, 1777.

A letter of Auguſt 24th from major general R. Howe was read:

Ordered, That it be referred to the board of treaſury.

Congreſs reſumed the conſideration of the report of the committee on finance, and made ſome progreſs therein.

A letter of July 6th from Mr. Pollock, and one of July 29th from James Willing at New Orleans, to the committee of commerce, were laid before Congreſs and read; alſo an extract of a letter from John Wearcatt, eſquire, at Savannah:

Ordered, That ſo much of the ſaid letters as relates to military operations be referred to the board of war, and that they report thereon:

That ſo much of the ſaid letters as relates to commercial matters be referred to the committee of commerce.

Adjourned to nine o'clock on Monday.

MONDAY, *October* 12, 1778.

The proceedings of a court-martial on the trial of major general Schuyler were laid before Congreſs:

Ordered to lie on the table.

A motion

A motion was made that Congreſs paſs the following reſolutions;

Whereas true religion and good morals are the only ſolid foundations of public liberty and happineſs:

Reſolved, That it be and it is hereby earneſtly recommended to the ſeveral ſtates to take the moſt effectual meaſures for the encouragement thereof, and for the ſuppreſſing theatrical entertainments, horſe-racing, gaming, and ſuch other diverſions as are productive of idleneſs, diſſipation, and a general depravity of principles and manners.

Reſolved, That all officers in the army of the United States be and hereby are ſtrictly enjoined to ſee that the good and wholeſome rules provided for the diſcountenancing of prophaneneſs and vice, and the preſervation of morals among the ſoldiers, are duly and punctually obſerved.

On the queſtion to agree to the firſt reſolution, with the preamble,

The yeas and nays being required by Mr. Roberdeau,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. R. Morris,	*ay*	*ay*
	Mr. Roberdeau,	*ay*	
	Mr. J. Smith,	*no*	
	Mr. Clingan,	*ay*	
Maryland,	Mr. Henry,	*no*	*
Virginia,	Mr. Harvie,	*no*	*divided*
	Mr. R. H. Lee,	*ay*	
	Mr. M. Smith,	*ay*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Harnett,	*no*	*no*
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Matthews,	*ay*	
Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*no*	
	Mr. Langworthy	*ay*	

So it was reſolved in the affirmative.

On

On the queſtion to agree to the ſecond reſolution,
The yeas and nays being required by Mr. G. Morris,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
New-York,	Mr. Lewis,	*ay*	*divided*
	Mr. G. Morris.	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Elmer,	*ay*	
	Mr. Scudder,	*ay*	
Pennſylvania,	Mr. R. Morris,	*ay*	*ay*
	Mr. Roberdeau,	*ay*	
	Mr. James Smith,	*no*	
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Henry,	*ay*	*
Virginia,	Mr. Harvie,	*no*	*divided*
	Mr. R. H. Lee,	*ay*	
	Mr. M. Smith,	*ay*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*ay*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Matthews,	*ay*	
Georgia,	Mr. Walton,	*ay*	*ay*
	Mr. Telfair,	*no*	
	Mr. Langworthy,	*ay*	

So it was reſolved in the affirmative.

A motion was made to re-conſider the firſt reſolution;

On which the yeas and nays being required by Mr. G. Morris,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Ellſworth,	*no*	

New-York,

New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
	Mr. Elmer,	*no*	
	Mr. Scudder,	*no*	
Pennſylvania,	Mr. R. Morris,	*no*	*no*
	Mr. Reed,	*no*	
	Mr. Roberdeau,	*no*	
	Mr. James Smith,	*ay*	
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Henry,	*ay*	*
Virginia,	Mr. Harvie,	*ay*	*divided*
	Mr. R. H. Lee,	*no*	
	Mr. M. Smith,	*no*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Matthews,	*no*	
Georgia,	Mr. Walton,	*no*	*no*
	Mr. Telfair,	*ay*	
	Mr. Langworthy,	*no*	

So it paſſed in the negative.

Three o'clock, P. M.

A letter of this day from colonel G. Morgan was read:

Ordered, That it be referred to the board of war.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to Frederick Bicking, a balance of one thouſand ſeven hundred and forty dollars and 33-90ths, for eighty-four reams of money paper:

That there is due to the reverend Mr. Lotbinier, his pay and ſubſiſtance as chaplain to colonel James Livingſton's regiment, from September 11th to October 10th, 1778, inclusive, ſixty dollars:

That there is due to Joſeph Ward, commiſſary general of muſters, for caſh he advanced for poſtage of letters on public buſineſs, from April 10th, 1777, to September 1ſt, 1778, fifty-nine dollars and 45-90ths:

Ordered, That the ſaid accounts be paid.

An

An appeal from the judgment of a court of admiralty for the ſtate of Delaware on the libel "Thomas Goodwin, &c. verſus ſchooner Fortune," was lodged with the ſecretary.

Congreſs took into conſideration the report of the committee of arrangement, and ſome progreſs being made therein,

Adjourned to nine o'clock to-morrow.

TUESDAY, *October* 13, 1778.

A letter of the 10th from the council of Pennſylvania was read:

Ordered, That it be referred to the board of war.

A letter of the 13th from major general marquis de la Fayette was read, with one of the 6th from general Waſhington incloſed:

Ordered, That they be referred to a committee of four;

The members choſen Mr. G. Morris, Mr. R. H. Lee, Mr. Witherſpoon and Mr. S. Adams.

Reſolved, That Mr. Drayton be added to the foregoing committee, and that Mr. Witherſpoon be added to the committee for preparing inſtructions to doctor Franklin, miniſter plenipotentiary of the United States at the court of France.

A letter of the 2d from governor Livingſton was read:

Ordered, That it be referred to the board of war, and that an extract of ſo much of it as relates to the trade carrying on with the enemy at Shrewſbury, be ſent to general Waſhington.

A memorial from major W. Baily was read:

Ordered, That it be referred to the marine committee.

An advertiſement of John Leach Knight was laid before Congreſs:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Duer, Mr. M'Kean and Mr. M. Smith.

An appeal from the judgment of a court of admiralty for the ſtate of Delaware on the libel "Daniel Murphy &c. verſus ſloop Hawke," &c. was lodged with the ſecretary.

A letter of the 8th from colonel T. Hartley, at Sunbury, was read, giving an account of his incurſion into the Indian country:

Ordered,

Ordered, That a copy thereof be tranſmitted to general Waſhington, and that he be directed to take immediate meaſures for preventing the enemy from occupying a poſt at Chemung, and for repelling the invaſions of the ſavages on the frontiers of New-York, New-Jerſey and Pennſylvania.

Three o'clock, P. M.

The committee to whom was referred the letter from the council of war of the ſtate of Rhode-Iſland, dated June 11th, 1778, and directed to the delegates of that ſtate, report,

That the ſaid ſtate having, in December laſt, appointed Mr. John Reynold agent cloathier to that ſtate, agreeably to a reſolution of Congreſs, and no inſtructions having been forwarded to the ſaid agent, and applications having been made and preſſed upon the ſaid agent by the military officers in ſaid ſtate for cloathing, under the reſtrictions and limitations of the reſolutions of Congreſs of November 22d, 1777; the council of war for the ſaid ſtate adviſed the ſaid agent cloathier to ſupply the officers of the two continental battalions raiſed by that ſtate with neceſſary cloathing, receiving from them, until he ſhould receive farther orders, four ſhillings lawful money for what coſt one ſhilling ſterling, which was thought to be in juſt proportion to the wages of the officers; and the aſſembly of the ſaid ſtate having, agreeably to the recommendation of the convention at Springfield, and the ſubſequent approbation of Congreſs, ordered a brigade to be raiſed for twelve months from the 16th of March laſt, and aſſigned the officers the ſame pay as thoſe in the continental ſervice, did, on the 31ſt of May laſt, paſs an order that the agent cloathier ſhould ſupply them with cloathing, and at ſuch prices as are ſpecified in the ſaid reſolve of Congreſs of the 22d of November laſt, upon their producing a certificate from major general Sullivan of the proportion to be furniſhed them reſpectively, agreeably to the ſaid reſolve; and, upon the application of general Sullivan to the ſaid aſſembly, they paſſed an order that all the continental officers doing duty in the ſaid ſtate, although not belonging to the continental battalions of the ſame, ſhould be ſupplied in the like manner: and becauſe the ſaid ſeveral tranſactions of the ſaid council of war and legiſlature of the

ſaid

ſaid ſtate were done and made from the neceſſity of the officers in the ſaid department, and for want of the neceſſary inſtructions of the cloathier general for theſe purpoſes, the ſaid legiſlature directed their delegates in Congreſs to lay the ſame before Congreſs for their approbation: the committee therefore are of opinion, that the ſaid tranſactions, advice and directions of the ſaid council of war and legiſlature, and the advance of cloathing made by the ſaid agent cloathier, in conſequence thereof, were adviſeable and agreeable to the ſpirit and intention of the ſaid reſolution of Congreſs of November 22d, 1777: whereupon

Reſolved, That Congreſs do approve of the ſaid tranſaction, advice and inſtructions of the council of war and legiſlature of the ſtate of Rhode-Iſland, and of the advance of cloathing made in conſequence thereof by the agent cloathier.

Congreſs reſumed the conſideration of the report of the committee on finance, to which an amendment being moved;

Ordered, That the report with the amendment be referred to a committee of five;

The members choſen Mr. M. Smith, Mr. Gerry, Mr. Witherſpoon, Mr. R. H. Lee and Mr. Sherman.

Ordered, That Thurſday next be aſſigned for fixing the ſalaries and nominating the officers of the treaſury on the new arrangement:

That Saturday next be aſſigned for electing the ſaid officers.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. James Smith, one of the delegates of the ſtate of Pennſylvania, for ſix hundred dollars, advanced upon his application; for which the ſaid ſtate is to be accountable:

That a warrant iſſue on the treaſurer in favour of the delegates of Georgia, for one thouſand three hundred and thirty-nine dollars and 60-90ths, to enable them to advance the ſaid ſum to captain Rawleigh Downman, for ſubſiſting his company whilſt on the recruiting ſervice; the ſaid ſtate to be accountable:

That a warrant iſſue on the treaſurer in favour of Matthew Irwine, late deputy commiſſary general, for ſeventy-five thouſand dollars, to compleat the ſum of

two

two hundred thouſand dollars which Joſeph Trumbull, eſquire, deceaſed, late commiſſary general, in a letter of credit of Auguſt 14th, 1777, to the preſident of Congreſs, applied for as an advance to Mr. Irwine, and that the ſame be charged to the account of Mr. Joſeph Trumbull.

Reſolved, That Joſeph Clay, eſquire, deputy paymaſter general in the ſtate of Georgia, be impowered and directed to pay into the hands of the deputy commiſſary, the deputy quartermaſter, and the deputy cloathier general, in the ſaid ſtate (they obtaining a warrant from the commanding officer in the ſouthern department,) ſuch ſum or ſums of money as may be wanting in their reſpective departments; each of them to be accountable; and that the ſaid deputy paymaſter general tranſmit the accounts of the ſums he may ſo advance to the ſeveral officers at the heads of the above mentioned departments.

Reſolved, That the deputy commiſſary, the deputy quartermaſter, and the deputy cloathier general, in the ſtate of Georgia, when they deliver their reſpective accounts of expenditures to the deputy paymaſter general, do cauſe to be ſpecified, on the receipts of the ſaid accounts, that the ſame were paid in continental currency, and that the ſum be fully expreſſed in words.

Reſolved, That the deputy paymaſter general be impowered and directed to pay the officers and men belonging to the continental gallies in the ſtate of Georgia the monthly wages that are and may be due to them, tranſmitting at the end of every month an account of the ſame to the board of treaſury.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *October* 14, 1778.

A letter of the 13th from J. Wadſworth, eſquire, commiſſary general of purchaſes, was read, with an account of his receipts and expenditures, amounting to ſix million five hundred thouſand dollars:

Ordered, That the ſame be referred to the board of treaſury.

A letter of this day from chevalier de Laneuville was read; whereupon

Reſolved, That a brevet commiſſion of brigadier be granted to Mr. de Laneuville the elder in the army of the United States of America, to be dated Auguſt 14th, 1778.

A letter

A letter of the 12th from Mr. S. Deane was read, accompanied with his remarks on the extracts from the letters of Mr. Izard, and alſo his remarks on the extracts from the letters of Mr. A. Lee, with which Mr. Deane was furniſhed:

Ordered, That a copy of the remarks on the extracts of Mr. Izard's letters be made out and tranſmitted to Mr. Izard, and that Mr. Preſident be furniſhed with a duplicate thereof.

Ordered, That a copy of the remarks on the extracts of Mr. Izard's and Mr. Lee's letters be made out and tranſmitted to Mr. Lee.

Ordered, That Monday next be aſſigned for the further examination of Mr. W. Carmichael, and that Mr. Carmichael be directed to attend on that day.

Sundry memorials from the honourable the miniſter plenipotentiary of France, were read, reſpecting the priſoners of the King of France:

Ordered, That they be referred to the marine committee, with orders to carry into execution the requiſitions of the miniſter.

A copy of a letter from count d'Eſtaing, to the honourable ſieur Gerard, was read, with ſundry letters accompanying the ſame:

Ordered, That they be referred to a committee of three;

The members choſen Mr. R. H. Lee, Mr. G. Morris and Mr. M. Smith.

Adjourned to nine o'clock to-morrow.

THURSDAY, *October* 15, 1778.

A letter of September 16th from the navy board in the eaſtern diſtrict; one of the 6th inſtant from Jonathan Trumbull, junior, eſquire; and one of September 25th from Meſheck Weare, eſquire, preſident of New-Hampſhire; were read.

A letter of the 6th from governor Trumbull was read, with a memorial and petition of William Hoſkins incloſed:

Ordered, That the ſame be referred to a committee of four;

The members choſen Mr. R. H. Lee, Mr. Bartlett, Mr. Ellſworth and Mr. S. Adams.

Au

An invoice of the cargo of the Dutchefs de Gramont, which arrived fome time ago, was laid before Congrefs:

Ordered, That it be referred to the committee on cloathing.

A letter of the 28th of June laft from Mr. Izard at Paris, with fundry papers accompanying the fame, were read:

Ordered to lie on the table for the perufal of the members.

Three o'clock, P. M.

Congrefs having received intelligence that a number of veffels are engaged in New-York by the commiffioners of his Britannic majefty to go with flags to the feveral ftates in this union, for the purpofe of fpreading among the inhabitants a manifefto and proclamation, publifhed by the faid commiffioners at New-York, on the third day of October inftant, for the purpofes of fedition, &c.

Ordered, That the paper containing the intelligence be referred to a committee of five;

The members chofen Mr. G. Morris, Mr. Duer, Mr. Matthews, Mr. R. H. Lee and Mr. Gerry.

Adjourned to nine o'clock to-morrow.

FRIDAY, *October* 16, 1778.

A letter of the 13th from major general lord Sterling was read:

Ordered, That it be referred to the committee of intelligence, for publication.

A letter of this day from J. Wadfworth, efquire, commiffary general of purchafes, was read:

Ordered, That it be referred to the marine committee.

A petition of George Rice, of the 11th Virginia regiment, was read, praying relief for the lofs of fix hundred and fifty dollars:

Ordered, That it be referred to a committee of three;

The members chofen Mr. Harvie, Mr. Matthews and Mr. Scudder.

A report from the auditor general was read:

Ordered, That it be referred to the board of treafury.

A letter from captain Cofmo Medici was read:

Ordered, That it be referred to the board of treafury.

The committee on the treafury brought in a report; whereupon

Ordered,

Ordered, That a warrant iſſue on the treaſurer in favour of the paymaſter of the board of war and ordnance, for one million of dollars, to be by him tranſmitted to William Palfrey, eſquire, paymaſter general, for the uſe of his department; he to be accountable.

Reſolved, That the commiſſioners of accounts in the northern and eaſtern departments be reſpectively directed forthwith to repair, with all the books, accounts and other papers of their office, to the board of treaſury.

The committee to whom was referred the letter of colonel Pickering brought in a report; whereupon

Reſolved, That, in conſideration of the greatly encreaſed expence of living, ſince the ſalaries of the commiſſioners of the war-office were eſtabliſhed, and of the extraordinary expences incurred by their public ſtation, the ſum of four thouſand dollars per annum, to commence from this day, be paid to colonel Pickering and Mr. Peters reſpectively, as acting members of the board of war; this ſalary to be reduced by Congreſs when circumſtances are ſo far altered as to render the reduction reaſonable and neceſſary:

That colonel Pickering have leave of abſence for eight weeks, to go home; but to return ſooner, if his private affairs will admit.

The committee to whom was referred the intelligence of the enemy's deſign to ſend certain ſeditious papers into theſe ſtates, under cover of flags, brought in a report; whereupon Congreſs came to the following reſolutions;

Whereas Congreſs, on the 22d day of April, 1778, did reſolve, That any man or body of men who ſhould preſume to make any ſeparate or partial convention or agreement with commiſſioners under the crown of Great-Britain, or any of them, ought to be conſidered and treated as open and avowed enemies of the United States: and whereas Congreſs have received intelligence, that the commiſſioners of the King of Great-Britain are about to ſend, under the ſanction of a flag, certain ſeditious papers under the name and title of manifeſtos, to be diſtributed throughout theſe United States, with a view to ſtir up diſſentions, animoſities and rebellion, among the good people of theſe ſtates: and whereas ſuch practices are contrary to the laws of nations, and utterly ſubverſive of the confidence neceſſary for thoſe means which have been invented among civilized nations to alleviate the horrors of

war; and therefore the agents employed to diſtribute the ſaid papers are not entitled to protection from a flag, while engaged in the proſecution of ſuch nefarious purpoſes:

Reſolved, That it be recommended to the executive powers of theſe United States to take up and ſecure in ſafe and cloſe cuſtody all and any perſon and perſons who, under the ſanction of a flag or otherwiſe, may be concerned or engaged in the purpoſes aforeſaid; and farther that the papers aforeſaid be printed in the ſeveral gazettes, more fully to convince the good people of theſe ſtates of the inſidious deſigns of the ſaid commiſſioners.

Ordered, That the committee have leave to ſit again.

The committee to whom was referred the letter from major general Heath brought in a report; whereupon Congreſs came to the following reſolutions;

Whereas Congreſs, on the 11th day of September laſt, reſolved and directed, that application ſhould be made to ſir Henry Clinton for paſſports to American veſſels to tranſport proviſions and fuel to Boſton, for the uſe of the priſoners under the convention of Saratoga; the ſaid paſſports to be ſubject to ſuch reſtrictions as ſhould be agreed on between the generals Waſhington and ſir Henry Clinton; and that general Waſhington inform general Clinton, that if ſuch paſſports be not granted within three days after application made, or meaſures adopted by him for ſending to the port of Boſton ample ſupplies of proviſion and fuel for the convention priſoners, on or before the 5th of October, Congreſs would deem themſelves juſtifiable in removing the ſaid priſoners to ſuch part of the United States as they can be beſt ſubſiſted in: and whereas application has been made and information given to general ſir Henry Clinton, purſuant to the reſolution aforeſaid, but to no effect; and whereas the continuing the troops before mentioned in the ſtate of Maſſachuſetts-Bay or any of the eaſtern ſtates, and ſubſiſting them there, if practicable, will be very prejudicial to the inhabitants of the ſaid ſtates:

Reſolved, That general Waſhington be directed, if neither of the alternatives mentioned in the above reſolve have been complied with, to take the neceſſary ſteps for removing, with all convenient ſpeed, all the priſoners of the convention of Saratoga to the town of Charlotteville, in the county of Albemarle, in the ſtate of Virginia.

In

In debating this reſolution a motion was made, after the word "Saratoga," to inſert the words following, "to the barracks at Lancaſter and York-Town in the ſtate of Pennſylvania, to Fort Frederick in the ſtate of Maryland, and:"

On which the yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Ellſworth,	*no*	
New-York,	Mr. Lewis,	*no*	*divided*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. Clingan,	*no*	*no*
Maryland,	Mr. Henry,	*ay*	*
Virginia,	Mr. Harvie,	*no*	*no*
	Mr. R. H. Lee,	*no*	
	Mr. M. Smith,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Matthews,	*no*	
Georgia,	Mr. Walton,	*no*	*no*
	Mr. Telfair,	*no*	
	Mr. Langworthy	*no*	

So it paſſed in the negative.

Reſolved, That the board of war appoint a proper perſon to ſuperintend and take charge of the ſaid priſoners; that they contract for the fuel for their uſe and apply to the governor and council of Virginia for a ſufficient force of militia to guard the ſaid priſoners:

That the commiſſary general of purchaſes provide a ſuitable ſupply of proviſion for the ſaid troops:

That the commiſſary general of iſſues appoint a ſuitable perſon to iſſue proviſions to the ſaid troops, and to keep a regular account thereof:

That regular accounts for proviſions and fuel be made and tranſmitted from time to time to the board of war:

That the board of war be directed to contract with a proper perſon to build temporary log barracks for the reception

reception of the ſaid troops, at the place above mentioned, on or before the 15th day of December next, and that they report to Congreſs the contract they may enter into.

Three o'clock, P. M.

A letter of the 6th from major general Schuyler, and one of this day from major general Lee, were read.

A motion being made in the words following;

Whereas frequenting playhouſes and theatrical entertainments has a fatal tendency to divert the minds of the people from a due attention to the means neceſſary for the defence of their country and the preſervation of their liberties:

Reſolved, That any perſon holding an office under the United States, who ſhall act, promote, encourage or attend ſuch plays, ſhall be deemed unworthy to hold ſuch office, and ſhall be accordingly diſmiſſed.

The previous queſtion was moved, and received a negative.

It was then moved by a ſtate, That the determination of the main queſtion be poſtponed to the next day:

Whereupon the ſenſe of the houſe was required, Whether, after the previous queſtion has been put and loſt, it is conſiſtent with the 12th and 13th rules of this houſe to poſtpone the main queſtion in right of a ſtate;

And on this the yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Ellſworth,	*no*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
	Mr. Elmer,	*no*	
	Mr. Scudder,	*no*	
Pennſylvania,	Mr. R. Morris,	*ay*	*no*
	Mr. Roberdeau,	*no*	
	Mr. Clingan,	*no*	
Maryland,	Mr. Henry,	*ay*	*
Virginia,			

Virginia,	Mr. R. H. Lee,	*no*	
	Mr. M. Smith,	*no*	*no*
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	*ay*
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Drayton,	*no*	*no*
	Mr. Matthews,	*no*	
Georgia,	Mr. Walton,	*ay*	
	Mr. Telfair,	*no*	*ay*
	Mr. Langworthy,	*ay*	

So it paſſed in the negative.

The main queſtion was then put,

The yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Bartlett,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	
	Mr. Gerry,	*ay*	*ay*
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	
	Mr. Ellſworth,	*ay*	*ay*
New-York,	Mr. Lewis,	*no*	
	Mr. Duer,	*no*	*no*
New-Jerſey,	Mr. Witherſpoon,	*ay*	
	Mr. Scudder,	*ay*	*ay*
Pennſylvania,	Mr. R. Morris,	*no*	
	Mr. Roberdeau,	*ay*	*ay*
	Mr. Clingan,	*ay*	
Maryland,	Mr. Henry,	*no*	*
Virginia,	Mr. R. H. Lee,	*ay*	
	Mr. M. Smith,	*no*	*no*
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	
	Mr. Harnett,	*no*	*no*
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Drayton,	*ay*	*ay*
	Mr. Matthews,	*no*	
Georgia,	Mr. Walton,	*no*	
	Mr. Telfair,	*no*	*no*

So it was reſolved in the affirmative.

Ordered, That the reſolution be publiſhed.

Adjourned to ten o'clock to-morrow.

SATURDAY,

SATURDAY, *October* 17, 1778.

Congreſs met and adjourned to three o'clock.

Three o'clock, P. M.

A letter of the 16th from count Pulaſki was read:

Ordered, That it be referred to the committee of intelligence.

A letter of the 16th from major general the marquis de la Fayette was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. G. Morris, Mr. Reed and Mr. Henry.

A letter of the 16th from general Conway was read:

Ordered to lie on the table.

A letter of the 9th from brigadier Stark was read:

Ordered, That it be referred to the board of war.

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, in favour of the board of war, for thirty thouſand dollars, for the purpoſe of erecting barracks in the county of Albemarle, in the ſtate of Virginia, for the accommodation of the troops under the convention of Saratoga.

Ordered, That a letter be written by the preſident to major general lord Stirling, informing him that the bearer, Mrs. Yard, is permitted to return to this city, with her trunks and baggage, without any examination, and that ſhe be permitted accordingly.

Ordered, That the preſident write to governor Henry, requeſting him to forward, with all poſſible expedition, the thouſand men formerly required by Congreſs to be ſent to South-Carolina; and that governor Caſwell of North-Carolina be alſo requeſted to forward the three thouſand men required of that ſtate, for the defence of South-Carolina and Georgia, together with an addition of two thouſand men, to be raiſed and forwarded to Charles-Town with all poſſible expedition, at the charge of the continent.

The committee to whom was referred the letter from count D'Eſtaing, brought in a report; whereupon

Reſolved, That his excellency count D'Eſtaing hath behaved as a brave and wiſe officer, and that his excellency, and the officers and men under his command, have rendered every benefit to theſe ſtates, which the circumſtances and nature of the ſervice would admit of, and are fully entitled to the regards of the friends of America.

Reſolved,

Resolved, That the president transmit the foregoing resolution to his excellency the count D'Estaing, and inform him that Congress entertain the highest sense of his zeal and attachment manifested in repeated instances, and particularly in his spirited offer to lead the troops under his command from Boston, and to co-operate against Rhode-Island.

Adjourned to nine o'clock on Monday.

MONDAY, *October* 19, 1778.

A letter of the 6th from James Deane was read:

Ordered, That it be referred to a committee of three;

The members chosen Mr. Witherspoon, Mr. G. Morris and Mr. Drayton.

A letter of the 13th from Mr. C. Stewart was read; whereupon

Resolved, That major James Gray be appointed deputy commissary general of issues in the northern department.

A letter of the 17th from major general lord Stirling was read.

Whereas by the eighth article of the articles of confederation and perpetual union, agreed upon for the United States of North-America, it is provided, that all expence for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury to be supplied by the several states, in proportion to the value of all lands within each state, granted to or surveyed for any person, as such land, and the buildings and improvements thereon, shall be estimated, according to such mode as the United States in Congress assembled shall from time to time direct and appoint:

And whereas the value aforesaid must from the nature of things frequently change, and frequent valuations thereby become necessary: therefore

Resolved, That it be recommended to the several states to instruct their delegates to fix the period of such valuation.

Resolved, That in the opinion of Congress five years will be a proper term for that purpose.

Adjourned to nine o'clock to-morrow.

TUESDAY, *October* 20, 1778.

An appeal from the judgment of a court of admiralty for the state of Pennsylvania, on the libel "Yelverton Taylor

Taylor verſus ſloop Polly," was lodged with the ſecretary and referred to the committee on appeals.

Alſo an appeal from the judgment of a court of admiralty for the ſtate of Rhode-Iſland and Providence Plantations, on the libel "Charles Jenks, &c. verſus ſloop Fanny," was lodged with the ſecretary, at his chamber, on the 16th, and referred to the committee on appeals.

A letter of this day from J. Wadſworth, eſquire, commiſſary general of purchaſes, was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. R. H. Lee, Mr. Sherman and Mr. Marchant.

A letter of the 14th from general Waſhington, and

One of September 12th from major general Heath, incloſing a paper of intelligence, were read.

A letter of this day from Chriſtopher Hele, lieutenant of the Preſton man of war, was read:

Ordered to lie on the table.

A memorial from Gerſham Mott and Robert Walker, in behalf of themſelves and others, captains in the regiment of artillery commanded by colonel John Lamb, accompanied with ſundry papers therein referred to, was read:

Ordered, That it be referred to the board of war.

A letter of September 22d from colonels Morgan, Williams and Davies, incloſing four memorials of the ſame tenor and date, but ſigned differently by the field officers and captains in the army, was read:

Ordered to lie on the table until Congreſs have fully conſidered and determined on the report of the committee of arrangement.

A letter of the 18th from David Franks, directed to Moſes Franks, and one ſigned Matthew Clarkſon, A. D. Camp, and directed to general Maxwell, or in his abſence to colonel Shrieve, were laid before Congreſs and read:

Ordered, That they be referred to a committee of three;

The members choſen Mr. Duer, Mr. Roberdeau and Mr. Drayton.

A memorial from Griffin, Greene and company was read:

Ordered, That it be referred to a committee of three, and that they confer thereon with the commiſſary general of purchaſes;

The members choſen Mr. Matthews, Mr. Lewis and Mr. M. Smith.

A letter

A letter of the 14th from major general the marquis de la Fayette was read.

Reſolved, That the ſum of one hundred thouſand dollars be tranſmitted by the board of war to Benjamin Harriſon, junior, eſquire, deputy paymaſter general in the ſtate of Virginia, for paying the arrears due to the continental troops in that ſtate and the balance due to the militia thereof that were in the continental ſervice laſt year, and for the pay and ſubſiſtance of the continental troops and levies recommended to be ſent from that ſtate to Charles-Town, for the defence of the ſtates of South-Carolina and Georgia; he to be accountable.

Reſolved, That the ſum of one million of dollars be tranſmitted by the board of war to John Lewis Gervais, eſquire, who is hereby unanimouſly appointed deputy paymaſter general in the ſtate of South-Carolina, for the pay and ſubſiſtance of the continental troops and levies ordered to Charles-Town for the defence of the ſtates of South-Carolina and Georgia; he to be accountable.

Three o'clock, P. M.

A letter of the 18th from Mr. preſident Rodney, of Delaware ſtate, was read.

A letter of the 10th from W. Pynchon, of the county of Hampſhire, in the ſtate of Maſſachuſetts-Bay, was read, informing that he has received, for the uſe of the continent, one hundred and twenty pounds, money of that ſtate, and deſiring to know to whom he ſhall pay the ſame:

Ordered, That it be referred to the board of treaſury.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, for one hundred and fifty thouſand dollars, in favour of James Meaſe, eſquire, cloathier general, to enable him to compleat the payment of balances due from his department; for which he is to be accountable:

That a warrant iſſue on the treaſurer in favour of major John Clark, for eight hundred and fifty dollars, in diſcharge of a bill drawn by W. Palfrey, paymaſter general, on the preſident of Congreſs, for that ſum in favour of the ſaid major Clark, dated September 25th, 1778; the ſaid paymaſter general to be accountable:

That a warrant iſſue on David Rittenhouſe, eſquire, treaſurer of the ſtate of Pennſylvania, in favour of the marine committee, for five thouſand dollars, advanced upon their application, to be paid out of the public tax laid in the ſaid ſtate, agreeably to the reſolution of Congreſs of the 22d of November laſt; for which the ſaid committee is to be accountable:

That, upon the application of the board of war and ordnance, a warrant iſſue on David Rittenhouſe, eſquire, treaſurer of the ſtate of Pennſylvania, in favour of brigadier count Pulaſki, for ten thouſand dollars, on account of his corps, for which he is to be accountable; which ſum is to be paid out of the public tax laid in the ſaid ſtate, agreeably to the reſolution of Congreſs of the 22d of November laſt:

That a warrant iſſue on the treaſurer in favour of captain Coſmo Medici, for fifteen hundred dollars, in ſatisfaction of his account of expences for himſelf and four troopers, eſcorting loan-office certificates to the ſouthern ſtates:

That a warrant iſſue on the treaſurer in favour of Mr. J. Elmer, a delegate from the ſtate of New-Jerſey, for two hundred dollars, advanced upon his application; the ſaid ſtate to be accountable:

That a warrant iſſue on the treaſurer in favour of Mr. N. Scudder, a delegate from the ſtate of New-Jerſey, for five hundred dollars, advanced upon his application; the ſaid ſtate to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to the reverend Mr. White, for his pay as chaplain to Congreſs from October 1ſt, 1777, to October 1ſt, 1778, ſeven hundred and twenty dollars, and for his rations during the ſame time, three hundred and three dollars and 6-90ths, making in the whole one thouſand and twenty-three dollars and 6-90ths:

That there is due to William Woodhouſe, for ſtationary for the uſe of Congreſs, one hundred and five dollars and 60-90ths:

That there is due to George Bright, for ſuperintending the making of paper for loan-office certificates, twenty-five days, one hundred and fifty dollars:

That there is due to Robert Patton, his pay as meſſenger to Congreſs, from June 16th, to the 13th of October, 1778, inclusive, two hundred and forty dollars:

That

That there is due to ſundry perſons for articles for the public entertainment on the 4th of July laſt, two thouſand eight hundred and thirty-five dollars and 60-90ths, of which the committee appointed to conduct the ſaid entertainment have received for articles ſold, two hundred and eighty-nine dollars and 15-90ths, which leaves a balance of two thouſand five hundred and forty-ſix dollars and 54-90ths; to be paid to Mr. Matthews:

Ordered, That the ſaid accounts be paid.

A letter of this day from the board of war was read:

Ordered to lie on the table.

Reſolved, That on Friday next Congreſs take into conſideration the proceedings of the court-martial on the trial of major general Lee, immediately after reading the public letters and taking order thereon, and that all the members in town be ſummoned to attend.

The committee to whom was referred a letter of September 25th from P. Colt, eſquire, brought in a report; whereupon

Ordered, That a warrant iſſue on Nathaniel Appleton, eſquire, commiſſioner of the continental loan-office in the ſtate of Maſſachuſetts Bay, for ſeventy thouſand dollars: another warrant on John Lawrence, eſquire, treaſurer of the ſtate of Connecticut, for one hundred thouſand dollars, being part of the ſum to be raiſed by the ſaid ſtate, for ſupplying the continental treaſury: and one other warrant on John Lawrence, eſquire, commiſſioner of the continental loan-office in the ſtate of Connecticut, for twenty thouſand dollars, in favour of Peter Colt, eſquire, late commiſſary general of purchaſes, who is to be accountable for the ſaid ſums, amounting to one hundred and ninety thouſand dollars, and to be furniſhed with a copy of this order.

Reſolved, That Mr. Colt be directed to tranſmit to the board of treaſury the accounts of purchaſes made under the direction of William Buchanan, eſquire, late commiſſary general of purchaſes, in order for ſettlement.

Whereas by a reſolution of Congreſs of April 22d, 1777, it is provided, that the ſeveral commanding officers of parties, detachments or corps on their march to or from Camp, ſhall ſend to the military hoſpitals ſuch of the officers and ſoldiers as, from time to time, are unable to proceed, unleſs from the diſtance of the hoſpitals or other cauſes it ſhall at any time be neceſſary to deliver them

them to the care of private phyſicians or ſurgeons, in which caſes the deputy director general ſhall diſcharge the reaſonable demands of the phyſicians and ſurgeons conducting, agreeably to the ſaid reſolve.

And whereas no proviſion is therein made for diſcharging the accounts of other perſons who have been or may be employed by proper officers for taking care of and providing for ſuch officers and ſoldiers:

Reſolved, That the deputy directors general reſpectively be authoriſed and inſtructed to diſcharge ſuch of the ſaid accounts as ſhall appear to be reaſonable and juſt, provided that each perſon who may hereafter be employed to provide for officers and ſoldiers as aforeſaid, ſhall give the earlieſt notice thereof to the deputy director general, or the phyſician or ſurgeon general of the diſtrict, in order for the ſpeedy removal to the military hoſpitals.

Reſolved, That lieutenant colonel du Cambray be ordered to repair with all convenient expedition to the ſtate of South-Carolina, for the purpoſe of putting the town and harbour of Charles-Town in the moſt reſpectable poſture of defence, and to render ſuch other ſervice to the ſtates of South-Carolina and Georgia as ſhall be required of him by the commanding officer of that department.

Reſolved, That henceforward Congreſs ſit but once a day; that they meet preciſely at ten o'clock and ſit till three o'clock, P. M.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *October* 21, 1778.

The committee to whom were referred the letters from David Franks, &c. brought in a report; whereupon

The letter from David Franks, eſquire, commiſſary of Britiſh priſoners, to Moſes Franks, eſquire, of London, incloſed, under cover to captain Thomas Moore, of general Delancey's regiment, being read,

Reſolved, That the contents of the ſaid letter manifeſt a diſpoſition and intentions inimical to the ſafety and liberty of the United States; and that Mr. Franks, having endeavoured to tranſmit this letter by ſtealth within the Britiſh lines, has abuſed the confidence repoſed in him by Congreſs to exerciſe within the juriſdiction of theſe ſtates the office of commiſſary to the Britiſh priſoners.

Reſolved,

Resolved, That major general Arnold be directed to cauſe the ſaid David Franks forthwith to be arreſted, and conveyed to the New-Jail in this city, there to be confined till the further order of Congreſs.

Reſolved, That David Franks, eſquire, be not, after the 10th day of November next, permitted to exerciſe, directly or indirectly, the office of commiſſary to the Britiſh priſoners within the juriſdiction of the United States.

Reſolved, That general Waſhington be directed to tranſmit a copy of theſe reſolutions to ſir Henry Clinton, and inform him that Congreſs deſire he will nominate a proper perſon who, having received their approbation, may exerciſe the office of commiſſary to the Britiſh priſoners.

Ordered, That the committee ſit again, and conſider by what proceſs it may be proper to take cognizance of Mr. D. Franks's offence.

Ordered, That five thouſand dollars be advanced to Mr. preſident, for the purpoſe of paying expreſſes.

A letter of the 19th from Mr. J. Beatty, commiſſary of priſoners, incloſing a letter of the 14th from Mr. Joſhua Loring, of New-York, was read, deſiring to know the pleaſure of Congreſs, Whether he ſhall comply with Mr. Loring's application, that lord Balcarras, and captain Strangeways, two officers of the convention troops, be permitted, on parole, to go and reſide in England, in exchange for two American officers, who are to be ſuffered, on parole, to reſide at their own homes: whereupon

Reſolved, That the commiſſary general of priſoners be informed, that Congreſs do not approve of partial and parole exchanges; but that they are willing to make a general exchange of officers, whether of the convention or otherwiſe, as far as numbers and ranks will apply.

A memorial from monſieur de Vrigny was read, repreſenting that the time of his furlough from the court of France being expired, he is under the neceſſity of reſigning his commiſſion: whereupon

Reſolved, That his reſignation be accepted.

Ordered, That ſo much of the ſaid memorial as relates to pay and rations due to monſieur de Vrigny be referred to the board of treaſury.

Ordered, That a copy of the ſaid memorial be ſent to general Waſhington, and that he be impowered and directed

rected to give monſieur de Vrigny ſuch certificate and teſtimonial as his zeal and ſervices may have entitled him to.

A memorial from baron de Randerode de Thulier, a native of Lorain, accompanied with ſundry papers, was laid before Congreſs and read:

Ordered, That it be referred to the committee on the memorial from the marquis de Britigny.

A repreſentation from the ſtate of New-Jerſey was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. G. Morris, Mr. Scudder and Mr. Witherſpoon.

Reſolved, That a committee of three be appointed to prepare a plan for procuring reinforcements of men to ſupply the places of thoſe whoſe times of ſervice will expire in the winter;

The members choſen Mr. Duer, Mr. Sherman and Mr. R. H. Lee.

Reſolved, That general Waſhington be directed to inform Congreſs of the progreſs which has been made in re-inliſting the army in conſequence of the reſolution of the 8th of September laſt.

The committee to whom was referred the letter from major general the marquis de la Fayette brought in a report; whereupon

Reſolved, That the marquis de la Fayette, major general in the ſervice of the United States, have leave to go to France; and that he return at ſuch time as ſhall be moſt convenient to him.

Reſolved, That the preſident write a letter to the marquis de la Fayette, returning him the thanks of Congreſs for that diſintereſted zeal which led him to America, and for the ſervices he hath rendered to the United States by the exertion of his courage and abilities on many ſignal occaſions.

Reſolved, That the miniſter plenipotentiary of the United States of America at the court of Verſailles be directed to cauſe an elegant ſword, with proper devices, to be made and preſented, in the name of the United States, to the marquis de la Fayette.

The committee alſo reported the draught of a letter of recommendation of the marquis de la Fayette to His Moſt Chriſtian Majeſty the king of France, which was agreed to.

The

The ſame committee having been appointed to prepare a letter of credence, notifying to His Moſt Chriſtian Majeſty the appointment of Benjamin Franklin, eſquire, to be the miniſter plenipotentiary of theſe ſtates at the court of France, and alſo the draught of inſtructions to the ſaid miniſter, brought in a draught of the letter, which was agreed to.

They alſo brought in a draught of inſtructions, which were taken into conſideration.

Adjourned to ten o'clock to-morrow.

THURSDAY, *October* 22, 1778.

Ordered, That major general Arnold make immediate return to Congreſs of his proceedings in the execution of the order of Congreſs of yeſterday, for the arreſt and commitment of David Franks, eſquire.

A memorial from the regimental ſurgeons and ſurgeon's aſſiſtants of the army of the United States was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Scudder, Mr. Holten and Mr. Bartlett.

A memorial from captain John P. Shott was read:

Ordered, That it be referred to the board of war.

On motion,

Reſolved, That general Waſhington be directed to order major general Gates forthwith to repair to Boſton, to take command of the continental forces that are or may be in the eaſtern diſtrict, until the farther orders of Congreſs or general Waſhington.

According to order major general Arnold having made return of his proceedings in the execution of the order of yeſterday, the ſame was read.

Reſolved, That to the end the arrears due to the militia of Virginia that have been in continental ſervice, called into ſuch ſervice by order of Congreſs or the commander in chief, may be ſpeedily adjuſted and paid, the governor and council of that ſtate be requeſted to call upon the proper officers to produce authenticated abſtracts, ſhewing the arrears due to ſuch militia as have ſo ſerved, and cauſe the ſame to be immediately paid by warrants from the governor on Benjamin Harriſon, junior, eſquire, the deputy paymaſter general in Virginia.

Congreſs reſumed the conſideration of the inſtructions to the miniſter plenipotentiary at the court of Verſailles, which being amended were agreed to.

A letter

A letter of the 13th from major general Heath was read;

Ordered, That it be referred to the committee on the caſe of enſign Brown.

A letter of the 18th from general Waſhington was read.

Whereas, upon the evacuation of this city by the Britiſh army, certain ſeizures were made of goods and effects, ſuppoſed to belong to the ſubjects of Great-Britain, and other goods were taken up under contracts entered into with the inhabitants of this city by the officers, in the departments of the quartermaſter, cloathier and commiſſary generals, and a committee hath been appointed by Congreſs to examine into the conduct of the ſaid officers in making the ſaid ſeizures and contracts that juſtice may be done to the public and individuals, but report hath not yet been made:

Reſolved, That the board of war direct ſuch of the ſaid goods, whether ſeized or contracted for, as may be wanted for the immediate uſe of the army, eſpecially for cloathing to be appropriated for that purpoſe; and that the board of war direct that proper accounts be kept of the goods ſo appropriated, the quantity and quality, and of whom ſeized and with whom contracted for.

Ordered, That two members be added to the committee aforeſaid, and that the ſaid committee ſit on the buſineſs, and report on Thurſday next;

The members choſen Mr. M. Smith and Mr. Ellſworth.

Adjourned to ten o'clock to-morrow.

FRIDAY, *October* 23, 1778.

An appeal from the judgment of a court of admiralty for the ſtate of New-Jerſey, on the libel "David Stephen, &c. verſus ſchooner John and Sally," was lodged and referred to the committee on appeals.

A letter of Auguſt 26th from major general R. Howe was read, with ſundry papers incloſed:

Ordered, That the ſame be referred to the board of war, and that they report their opinion thereon to the board of treaſury.

A letter of the 20th from major general lord Stirling was read, informing that the enemy's fleet had ſailed.

Sundry letters of the 19th and 21ſt from brigadier count Pulaſki were read, incloſing the commiſſion of de Breneville, a lieutenant in count Pulaſki's legion:

Ordered, That the letters and papers be referred to the board of war.

A

A petition from Dominique L'Eclise was read:

Whereupon a report from the board of war, relative to the said Dominique L'Eclise, was taken up; and thereupon

Ordered, That the sum of six hundred and thirty-five dollars be paid to monsieur L'Eclise, in satisfaction of his sufferings, and to enable him to pay monies lent him for his support, by sundry gentlemen, friends to these states.

Resolved, That the sum of sixty dollars per month, for pay and subsistance, and one ration a day, be allowed to monsieur L'Eelise, during the pleasure of Congress, and that he be directed to reside for the present in the northern department, to be employed in such way as the commander in chief, or the commander of the northern department, shall deem serviceable to the United States:

That a copy of the foregoing resolution be sent to the commander in chief, to whom monsieur L'Eclise shall give notice of the particular place of his abode.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of major general Lincoln, for three thousand dollars, to bear the expences of himself and suite to South-Carolina; he to be accountable.

The committee of commerce, to whom was referred a charter party, with several other papers relative to an agreement entered into between Scott, Irvine and Cooper, owners of the brig Commerce, on the one part, and Hewes and Smith, agents in behalf of the secret committee, on the other part, report,

That it appears the said agents, in behalf of the secret committee, contracted to lade the said brigantine for some port or ports in Europe, and to pay for her here at the rate of five hundred dollars per month: that the said brigantine was valued at seven thousand dollars, which sum the said agents insured to the said owners, and agreed to pay them over and above the monthly hire, if it should happen that the said brigantine should be seized, taken, sunk, or otherwise destroyed, by the enemies of the United States: that the said brigantine was laden with tobacco, and other articles of merchandize on account of the United States, and arrived safe with her cargo in the port of Nantes in France: that she sailed from thence on or about the 7th day of September, 1777, with a cargo of salt, on account

of the United States, and proceeded on her voyage until she arrived on the coaſt of North-Carolina: that she met with several storms, by which she was greatly damaged in her masts, yards, sails and rigging: that the people on board were in distress for want of provisions and water; all which induced the captain of her to put into the island of Bermuda: that she arrived at Somerset in the said island on the 4th day of December, 1777, when the captain applied to Henry Tucker, esquire, who advised him to unload the said brigantine and strip her of all her sails, rigging, cables, and other materials: that he unladed and stript her accordingly, and put every thing into the hands of the said Mr. Tucker: that it appears that the hull of the said brig was seized and taken by the enemies of the United States, and fitted out in order to carry to Great-Britain part of the cargo and crew of a ship that had been cast away on Bermuda in her passage from Jamaica to London: that it further appears that Hewes and Smith, agents as aforesaid, are bound by the said charter party to pay to the owners of the said brigantine the amount of the said valuation and the monthly hire until the day the said brigantine was so seized and taken; and that the account of the said valuation and hire, exclusive of the said brig's disbursements in France, amount to ten thousand five hundred and thirty-four dollars and 15-90ths: whereupon

Ordered, That the sum of ten thousand five hundred and thirty-four dollars and 15 90ths be paid to messieurs Hewes and Smith, agents as aforesaid, to pay the amount of the valuation and monthly hire of the brigantine Commerce, exclusive of her disbursements in France, agreeably to the charter party, entered into by them with the owners of said brigantine; the said Hewes and Smith to be accountable.

Ordered, That the remainder of the report be referred to a committee of three;

The members chosen Mr. R. Morris, Mr. Drayton and Mr. Duer.

According to order Congress took into consideration the proceedings and sentence of the court-martial on the trial of major general Lee, and after dabate

Ordered, That the further consideration thereof be postponed to Wednesday next.

Adjourned to ten o'clock to-morrow.

SATURDAY,

SATURDAY, *October* 24, 1778.

A letter of the 22d from monſieur de Vrigny was read.

A memorial from meſſieurs Penet and Coulou was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. R. Morris, Mr. R. H. Lee and Mr. Sherman.

A report from the board of war, reſpecting colonel G. Morgan, was read:

Ordered, That it be referred to the board of treaſury.

The committee on the memorial from Griffin Greene and Company brought in a report, which was read:

Ordered, That it be re-committed, and that the committee confer with Mr. Wadſworth and report generally.

Ordered, That Mr. R. Morris be added to the committee.

A letter of this day from the commiſſioners of claims, at the board of treaſury, was read; whereupon

Reſolved, That the board of treaſury be impowered to hire a good and truſty clerk for the commiſſioners of claims, and that the foregoing letter be referred to the ſaid board.

Some further inſtructions to the miniſter plenipotentiary at the court of France were taken into conſideration, and after debate

Ordered, That the ſame be re-committed, and that Mr. Duer be added to the committee.

Adjourned to ten o'clock on Monday.

MONDAY, *October* 26, 1778.

Ordered, That the committee of foreign affairs prepare an anſwer to the letter from the governor of Havannah.

A letter from monſieur de Vrigny was read:

Ordered, That it be referred to the board of treaſury.

An appeal from the judgment of a court of admiralty for the ſtate of New-Jerſey, on the libel "Yelverton Taylor, &c. verſus ſloop Lark," was lodged and referred to the committee on appeals.

A letter of the 24th from count Pulaſki was read; whereupon

Reſolved, That count Pulaſki's legion and all the cavalry at or near Trenton be ordered forthwith to repair to Suſſex Court-Houſe, there to wait the order of general Waſhington; and that the preſident write a letter to the general,

general, informing him of this reſolution, and pointing out the neceſſity of ordering the cavalry to ſome place or places, where they may be eaſily ſupplied with forage.

Ordered, That ſo much of count Pulaſki's letter as relates to blankets be referred to the board of war.

A letter of the 21ſt from major general lord Stirling, was read, incloſing a letter to him from doctor Griffith, with ſundry affidavits relative to the maſſacre of colonel Baylor's regiment, on the 27th of September laſt:

Ordered, That ſo much of the ſaid letter as relates to the maſſacre be referred to the committee of intelligence.

A letter of the 22d from governor Livingſton, on the ſame ſubject, was read.

A letter of the 16th from governor Trumbull, and one of the 15th from Goſſinus Erkelins, with a paper incloſed, were read:

Ordered, That they be referred to the committeee on finance.

A letter of the 15th from Joſhua Huntington, and one from Chriſtopher Hele, were read:

Ordered, That they be referred to the marine committee.

A memorial from Robert Jewell was read:

Ordered, That it be referred to the board of war.

A letter of the 18th from major general Sullivan was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 25th from monſieur Bedaulx was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. G. Morris, Mr. Drayton and Mr. Scudder.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on William Pynchon, eſquire, treaſurer of the county of Hampſhire, in the ſtate of Maſſachuſetts, in favour of Jeremiah Wadſworth, eſquire, commiſſary general of purchaſes, for four hundred dollars, which the general ſeſſions of the peace of the ſaid county ordered to be paid by Malcolm Henry, in conſequence of his having been convicted of ſtealing lead to the value of forty pounds, the property of the United States; the ſaid commiſſary general to be accountable.

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in Pennſylvania,

Pennſylvania, for thirty-five thouſand dollars; and another warrant on the treaſurer for twenty-five thouſand dollars, in favour of colonel G. Morgan, for the purchaſe of cattle made by his direction for the troops on the weſtern frontier; he to be accountable for the ſums aforeſaid.

Reſolved, That a committee of three be appointed to ſuperintend the publication of ſuch matters relating to the diſputes, petitions and negociations to and with the court of Great-Britain, and ſuch notes and explanations thereon as to them ſhall appear proper; and that they agree with the printer for thirteen hundred copies of ſuch publication, on account of Congreſs;

The members choſen Mr. G. Morris, Mr. Drayton and Mr. R. H. Lee.

The committee having again brought in a draught of further inſtructions to the miniſter plenipotentiary of the United States at the court of France, the ſame were agreed to.

Ordered, That Mr. Bartlett be added to the medical committee:

That Mr. M. Smith be added to the committee of commerce:

That Mr. Ellſworth be added to the committee of appeals.

Whereas great public injury ariſes from the preſent purchaſes of wheat in the forage department:

Reſolved, That for the future no wheat be purchaſed for forage by any perſon for the uſe of the United States, unleſs Congreſs ſhall order otherwiſe.

An appeal from the judgment of a court of admiralty for the ſtate of Rhode-Iſland, on the libel "Jonathan Tredwell, &c. verſus ſchooner Hawke," was lodged and referred to the committee on appeals.

The committee to whom was referred the memorial of Griffin Greene, brought in a report; whereupon

Reſolved, That whenever it may be neceſſary to employ merchant veſſels on account of theſe United States, the ſame ought to be chartered rather than purchaſed; and that the commiſſary general, agent or contractor, on behalf of theſe United States, if he ſhall at any time find it expedient to take into the ſervice of government veſſels to be employed as tranſports on the high ſeas, and ſuch veſſels cannot be obtained without inſurance on the part of

of government, ſhall cauſe the value thereof to be aſcertained by three reputable men, having knowledge in ſuch buſineſs, on oath and under their hands and ſeals; which ſaid valuation ſhall be inſerted in the charter party, and any loſs that may ariſe to the owner or owners by means of the enemy, ſhall be paid according to the common courſe of inſurance.

An appeal from the judgemnt of a court of admiralty for the ſtate of New-Jerſey, on the libel "Samuel Ingerſol, &c. verſus ſchooner Lovely Nancy," was lodged and referred to the committee on appeals.

Adjourned to ten o'clock to-morrow.

TUESDAY, *October* 27, 1778.

A letter of the 26th from count Pulaſki was read:

Ordered to lie on the table.

A letter of the 13th from major general Gates, at Danbury, was read, with ſundry papers incloſed; whereupon

Ordered, That general Gates be furniſhed with a copy of the reſolution reſpecting lord Balcarras.

Information being given to Congreſs, that there is reaſon to believe indulgence of paroles have been granted to the priſoners of the convention of Saratoga, in conſideration of money paid and received for the ſame;

Ordered, That the preſident write to the council of Maſſachuſetts-Bay, and requeſt them to enquire into this matter:

That a committee of four be appointed to inveſtigate the truth of the information;

The members choſen Mr. S. Adams, Mr. Scudder, Mr. Sherman and Mr. Marchant.

A letter of the 11th from Mr. D. Waterbury was read:

Ordered, That it be referred to the marine committee.

A commiſſion under the hand and ſeal of the honourable ſieur Gerard, miniſter plenipotentiary and conſul general of France, appointing monſieur d'Anemours conſul of France in the ſtate of Maryland, was laid before Congreſs:

Ordered, That the ſame be referred to the marine committee, and that they take the proper meaſures to notify the ſame to the ſtate of Maryland.

A letter of the 26th from major general the marquis de la Fayette was read, mentioning the requeſt of monſieur

ſieur le Vienne for leave to go to France, and to have a commiſſion in lieu of the brevet already granted to him.

Another letter of the 26th from the marquis de la Fayette was read, taking leave of Congreſs, and alſo another letter without date from the marquis was read:

Ordered, That this laſt be referred to the committee lately appointed to prepare inſtructions to the miniſter plenipotentiary of theſe ſtates at the court of France.

A letter of the 26th from R. Peters, a member of the board of war, was read:

Ordered, That it be referred to the committee on the cloathier general's department.

A letter of the 20th from captain Stoddard was read; whereupon

Reſolved, That the ſum of five hundred dollars be allowed to the field officers, captains and ſubalterns, chaplain and ſurgeon of the light dragoons reſpectively in the ſervice of the United ſtates, to compenſate the extraordinary expences of his horſe and equipment beyond that of officers of the like rank in the infantry; provided always, that any officer receiving ſuch ſum ſhall be liable to refund the ſame if he leaves the ſervice during the preſent war.

A motion being made reſpecting the officers of colonel Seth Warner's regiment;

Ordered, That it be referred to a committee of three, and that they write to the paymaſter general on the ſubject;

The members choſen Mr. Sherman, Mr. M. Smith and Mr. G. Morris.

Reſolved, That major general lord Stirling be and he is hereby directed to permit colonel Beniah Norton, of Martha's Vineyard, in the ſtate of Maſſachuſetts Bay, to go into New-York; and that a flag be furniſhed him for that purpoſe; and that he be permitted to return when he ſhall have concluded his buſineſs.

The committee of commerce brought in a report; whereupon

Reſolved, That tobacco, the property of the United States, be ſhipped for the payment of the debts and contracts of the ſaid ſtates:

That the agents in North-Carolina and elſewhere adjuſt and ſettle the accounts of their tranſactions, and that the committee of commerce take proper meaſures to effect the purpoſes aforeſaid; That

That the committee of commerce be directed to take care of the commercial concerns of the United States; and that they be impowered to take ſuch ſteps for that purpoſe as they ſhall deem neceſſary.

The committee appointed to prepare an anſwer to the governor of Havannah brought in a draught, which was read, and agreed to.

A letter from the marquis de la Fayette was read, giving an account of the brave conduct of monſieur Touzar, captain in the regiment of artillery of la Fer, in taking poſſeſſion of a piece of artillery from the enemy, in which action he loſt his right arm by the diſcharge of another piece; whereupon

Reſolved, That the gallantry of monſieur Touzar, in the late action on Rhode Iſland, is deſerving of the higheſt applauſe; and that Congreſs, in conſideration of his zeal and misfortune, do promote the ſaid monſieur Touzar to the rank of lieutenant colonel in the ſervice of the United States, by brevet, and that he do receive a penſion of thirty dollars per month out of the treaſury of the United States of America during his life.

Whereas meſſieurs Gimat, de Noirmont, Capitaine, and la Columbe, have been put to great expence in the ſervice of the United States, without having received any money from the commiſſioners;

Reſolved, That the committee appointed to prepare inſtructions to the miniſter plenipotentiary of the United States at the court of France, be appointed to confer with the ſaid perſons upon the expences they have incurred, and report thereon.

Reſolved, That Mr. Brice and Mr. Neville, aids de camp to the marquis de la Fayette, be promoted to the rank of lieutenant colonels in the ſervice of the United States, by brevet.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *October* 28, 1778.

A letter of Auguſt 17th from T. B. Girardeau was read, informing, that, on account of his ill ſtate of health, he has been obliged to reſign his commiſſion of deputy commiſſary general of iſſues in South-Carolina and Georgia, to major general Howe, who has appointed Mr. Mordecai Sheftall to act as deputy commiſſary general of iſſues in his ſtead, till the pleaſure of Congreſs ſhall be known; alſo

alſo a letter of Auguſt 19th from Mordecai Shetfall, and one of Auguſt 25th from G. Walton, eſquire, were read; whereupon

Reſolved, That the reſignation of Mr. J. B. Girardeau be accepted; and that the conſideration of confirming the appointment Mr. Shetfall be poſtponed:

That ſo much of Mr. Shetfall's letter as relates to rations be referred to the board of war.

A letter of this day from D. Franks was read:

Ordered, That it be referred to the committee appointed to conſider by what proceſs it may be proper to take cognizance of D. Franks's offence.

A letter of the 20th from W. Palfrey, paymaſter general, was read:

Ordered, That it be referred to the board of treaſury.

A letter of the 27th from lieutenant Girard was read: Ordered to lie on the table.

A letter of the 22d from general Waſhington was read, incloſing an extract of a letter from brigadier Hand and a journal of lieutenant colonel Butler's expedition to Unandilla and Oneaquaga:

Ordered, That the extract of brigadier Hand's letter, with ſo much of the general's letter as relates thereto, be referred to a committee of three, who are directed to take into conſideration the caſe of the ſettlers at Wyoming;

The members choſen Mr. M. Smith, Mr. Scudder and Mr. Duer:

That the journal of colonel Butler be referred to the committee of intelligence.

The committee on the treaſury, to whom were referred the letters from lieutenant colonel Vrigny, report,

That they have taken into conſideration the claim of lieutenant colonel Vrigny, and are of opinion that no pay ought to be allowed to lieutenant colonel Vrigny from the 1ſt day of June, 1777, to the end of January, 1778, during which time he ſerved as a volunteer: that he be referred to the paymaſter general, who is directed to ſee that the balance due to him for his pay and ſubſiſtance from the firſt day of February be adjuſted and diſcharged:

Reſolved, That Congreſs agree to the ſaid report.

The committee on the treaſury brought in a farther report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of major general Arnold, for eight thouſand dollars, in conſequence of his letter to the auditor general, repreſenting this ſum due to him on account; he to be accountable:

That a warrant iſſue on the treaſurer in favour of Philip Minis, for ſix thouſand nine hundred and nineteen dollars and an half, it being ſo much advanced by him to the late Mr. Kennon, deceaſed, acting paymaſter and commiſſary to the Virginia and North-Carolina troops in the ſtate of Georgia, as appears by certificates of the ſaid paymaſter and major general Howe, then commanding officer in the ſouthern department; and that the account of the ſaid William Kennon, deceaſed, be charged with the ſum aforeſaid:

That a warrant iſſue on the treaſurer in favour of monſieur Florean Charles Mey, for ten thouſand ſeven hundred and ſeventy-eight dollars, to anſwer a draught of major general R. Howe, of the 26th of Auguſt laſt, on the preſident of Congreſs, in favour of monſieur John Pourei, for ſundry military ſtores purchaſed of him to this amount by general Howe, for continental ſervice in the ſtate of Georgia; and that a copy of the ſaid account be entered and filed in the war-office:

That a warrant iſſue on the treaſurer in favour of the committee appointed to ſuperintend the publication of matters relating to the diſputes, petitions and negociations to and with the court of Great-Britain, for the ſum of twelve hundred dollars, to enable them to proceed in the buſineſs; the ſaid committee to be accountable.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due to captain lieutenant Jonathan Brewer, of the Pennſylvania regiment of artillery, commanded by colonel Procter, for his pay and rations or ſubſiſtance from the 1ſt of September, 1777, to the 30th of September, 1778, moſt of which time he was a priſoner with the enemy, a balance of ſix hundred and fifteen dollars and 7-90ths:

That there is due to the eſtate of Robert Ritchie, deceaſed, for his pay as one of the commiſſioners of claims from the 12th of April to the 12th of September, 1778, ſix hundred and ſixteen dollars:

That,

That there is due to David Tew, for engraving three copperplates for bills of exchange, one hundred and ſixty dollars, and for repairing two of the ſame, fifty-three dollars and 30-90ths, making in the whole two hundred and thirteen dollars and 30-90ths:

Ordered, That the ſaid accounts be paid.

Congreſs reſumed the conſideration of the report of the committee on finance, and ſome time being ſpent thereon,

Adjourned to ten o'clock to-morrow.

THURSDAY, *October* 29, 1778.

The committee to whom was referred the letter of the 18th from D. Franks, brought in a report; whereupon

Ordered, That D. Franks, eſquire, be furniſhed with a copy of his letter of the 18th to his brother Moſes Franks.

Reſolved, That the board of war ſhall conſiſt of three commiſſioners, who are not members of Congreſs; and two members of Congreſs; and three or more of them, who ſhall be preſent, ſhall conſtitute a board.

A motion being made and ſeconded, and called for in writing, after being reduced to writing and before it was read from the chair an objection was made againſt taking it into conſideration, as being contrary to the order, aſſigning Tueſdays, Thurſdays and Saturdays to the buſineſs of finance:

On the queſtion, That the motion can be admitted;

The yeas and nays being required by Mr. G. Morris,

New-Hampſhire,	Mr. Bartlett,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*divided*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*divided*
	Mr. Ellſworth,	*no*	
New-York,	Mr. Duer,	*no*	*no*
	Mr. G. Morris,	*no*	
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Clingan,	*no*	
Virginia,	Mr. R. H. Lee,	*no*	*
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	South-

South-Carolina,	Mr. Laurens, *as preſident deſired to be excuſed, the houſe having undertaken to determine the queſtion of order;*	
	Mr. Drayton, *no* }	*no*
	Mr. Hutſon, *no* }	
Georgia,	Mr. Telfair, *no* }	*no*
	Mr. Langworthy, *no* }	

So it paſſed in the negative.

Reſolved, That whenever a perſon is nominated to any office, his name, together with that of the perſon nominating him, be entered on the minutes.

A motion was made, That, upon an election, an entry be made of the ſtates that ſhall reſpectively ballot for any perſon ſo nominated:

Reſolved, That the conſideration thereof be poſtponed till to-morrow.

Congreſs proceeded to fix the ſalaries of the officers in the treaſury office; and thereupon

Reſolved, That the ſalary of the comptroller be four thouſand dollars per annum:

That the ſalary of the treaſurer be four thouſand dollars per annum;

That the ſalary of the auditor be three thouſand five hundred dollars per annum:

That the ſalary of each of the commiſſioners of accounts be three thouſand dollars per annum.

Adjourned to ten o'clock to-morrow.

FRIDAY, *October* 30, 1778.

A letter of the 22d from brigadier Stark was read.

A letter from the chevalier de Maduit du Pleſſis, lieutenant colonel of artillery; alſo a letter of the 14th from major general baron de Kalb, and one of the 21ſt from general Waſhington, with a recommendation of the chevalier, were read:

Ordered, That they be referred to a committee of three;

The members choſen Mr. S. Adams, Mr. G. Morris and Mr. Drayton.

Ordered, That the letter of the 27th from the marquis de la Fayette be referred to the ſaid committee.

The committee on the treaſury laid before Congreſs a letter from the commiſſioners of accounts in the northern department, which was read:

Ordered to lie on the table.

The

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. James Lovell, a delegate from the ſtate of Maſſachuſetts-Bay, for fifteen hundred dollars, advanced upon his application, and to be charged to the ſaid ſtate:

That a warrant iſſue on the treaſurer in favour of the paymaſter of the board of war and ordnance, for five hundred thouſand dollars, to be by him tranſmitted to William Palfrey, eſquire, paymaſter general, for the uſe of his department; who is to be accountable:

That a warrant iſſue on the treaſurer in favour of the honourable Henry Laurens, for three thouſand five hundred dollars, to anſwer three ſets of exchange, viz. No. 3, for two thouſand dollars, No. 13, for one thouſand, and No. 29, for five hundred dollars; drawn by William Kennon, deceaſed, in favour of David Flower, and bearing date the 14th of April, 1777; and that the ſame be charged to the ſaid William Kennon, deceaſed:

That a warrant iſſue on the treaſurer in favour of Mr. C. Harnett, for three thouſand five hundred dollars, to anſwer five ſets of exchange, No. 25 and 26, for one thouſand dollars each, No. 33, 34, 35, for five hundred dollars each; drawn by the late William Kennon, deceaſed, in favour of David Flower, and bearing date the 14th of April, 1777; and that the ſaid ſum of three thouſand five hundred dollars be charged to the account of the ſaid William Kennon, deceaſed:

That a warrant iſſue on the treaſurer in favour of Samuel Hillegas, for one hundred and ſixty dollars, in full for his ſigning loan-office certificates.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due to the officers and privates of colonel L. Nicola's regiment of invalids, for rations and parts of rations retained from their firſt eſtabliſhment to the 31ſt of May, 1778, a balance of ſix hundred and eighty-eight dollars and 50-90ths, as more fully appears by a particular ſtate filed with his account:

That there is due to the following gentlemen, to, at, and from Camp, when ſent as a committee of Congreſs in the paſt ſummer, viz.

To Mr. J. Reed, including the expences of entertaining ſome officers, . . . 201 dollars & 12 90ths;

To

To Mr. J. Baniſter,	-	148 dollars & 72-90ths ;
To Mr. R. Sherman,	-	101 dollars & 30-90ths ;
Making in the whole		451 dollars & 24 90ths :

That there is due to Francis Hopkinſon, eſquire, his pay as treaſurer of loans, from July 27th to September 26th, 1778, incluſive, five hundred dollars:

That there is due to Patrick M'Cloſky, for his pay as expreſs rider from January 1ſt to October 31ſt, 1777, a balance of four hundred and eighteen dollars:

Ordered, That the ſaid accounts be paid.

A letter of the 24th from Nicholas Depui, John Chambers, Benjamin Van Camp, and others, directed to his honour George Bryan, eſquire, was laid before Congreſs and read, together with two affidavits therein incloſed:

Ordered, That the ſame be referred to general Waſhington, who is directed to take order thereon.

By the CONGRESS of the UNITED STATES of AMERICA.

A MANIFESTO.

THE United States having been driven to hoſtilities by the oppreſſive and tyrannous meaſures of Great-Britain; having been compelled to commit the eſſential rights of man to the deciſion of arms; and having been at length forced to ſhake off a yoke which had grown too burthenſome to bear; they declared themſelves free and independent.

Confiding in the juſtice of their cauſe; confiding in Him, who diſpoſes of human events; although weak and unprovided, they ſet the power of their enemies at defiance.

In this confidence they have continued through the various fortunes of three bloody campaigns, unawed by the power, unſubdued by the barbarity, of their foes. Their virtuous citizens have borne, without repining, the loſs of many things which make life deſirable. Their brave troops have patiently endured the hardſhips and dangers of a ſituation fruitful in both, beyond former example.

The Congreſs conſidering themſelves bound to love their enemies, as children of that Being who is equally the Father of All; and deſirous, ſince they could not prevent, at leaſt to alleviate the calamities of war, have ſtudied to ſpare thoſe who were in arms againſt them, and to lighten the chains of captivity.

The

The conduct of thoſe ſerving under the king of Great-Britain hath, with ſome few exceptions, been diametrically oppoſite. They have laid waſte the open country, burned the defenceleſs villages, and butchered the citizens of America.

Their priſons have been the ſlaughter houſes of her ſoldiers, their ſhips of her ſeamen; and the ſevereſt injuries have been aggravated by the groſſeſt inſults.

Foiled in their vain attempts to ſubjugate the unconquerable ſpirit of freedom, they have meanly aſſailed the repreſentatives of America with bribes, with deceit, and the ſervility of adulation. They have made a mock of religion by impious appeals to God, whilſt in the violation of his ſacred command. They have made a mock even of reaſon itſelf, by endeavouring to prove that the liberty and happineſs of America could ſafely be entruſted to thoſe who have ſold their own, unawed by the ſenſe of virtue or of ſhame.

Treated with the contempt which ſuch conduct deſerved they have applied to individuals. They have ſolicited them to break the bonds of allegiance, and imbue their ſouls with the blackeſt crimes. But fearing that none could be found through theſe United States equal to the wickedneſs of their purpoſe; to influence weak minds they have threatened more wide devaſtation.

While the ſhadow of hope remained that our enemies could be taught by our example to reſpect thoſe laws which are held ſacred among civilized nations, and to comply with the dictates of a religion which they pretend in common with us to believe and revere, they have been left to the influence of that religion and that example. But ſince their incorrigible diſpoſitions cannot be touched by kindneſs and compaſſion, it becomes our duty by other means to vindicate the rights of humanity.

We, therefore, the Congreſs of the United States of America, do ſolemnly declare and proclaim, that if our enemies preſume to execute their threats, or perſiſt in their preſent career of barbarity, we will take ſuch exemplary vengeance, as ſhall deter others from a like conduct. We appeal to that God who ſearcheth the hearts of men, for the rectitude of our intentions: and in his holy preſence declare, that as we are not moved by any light and haſty ſuggeſtions of anger or revenge, ſo, through every poſſible change of fortune, we will adhere to this our determination.

Done

Done in Congreſs, by unanimous conſent, the thirtieth day of October, one thouſand ſeven hundred and ſeventy-eight.

Atteſt. C. T. Secretary. H. L. Preſident.

A letter of this day from major general Lee was read.

Adjourned to ten o'clock to-morrow.

SATURDAY, *October* 31, 1778.

A member having informed the houſe that he had received intelligence of frauds and abuſes ſaid to be practiſed by certain individuals in the quartermaſter general's department;

Ordered, That a committee of three be appointed to make ſtrict enquiry into the ſame, and to report ſpecially to Congreſs; and that the member be directed to lay before the ſaid committee the particulars of the information he has received;

The members choſen Mr. S. Adams, Mr. Scudder and Mr. Sherman.

The board of war, to whom were referred ſundry letters from New Orleans, brought in a report; whereupon

Ordered, That the ſaid letters be referred to the committee of commerce.

A letter of the 26th from Adam Ferguſon, ſecretary to the commiſſioners from the King of Great-Britain, and a letter of Auguſt 12th from the honourable J. Adams, were read:

Ordered, That they be referred to the committee of intelligence.

A letter of the 21ſt from major general Heath was read:

Ordered, That it be referred to the board of war, and that the board forthwith make a return of the officers of of the convention of Saratoga that have been exchanged, and for whom.

A letter of the 24th from general Waſhington was read, with a paper incloſed:

Ordered, That it be referred to the committee appointed to prepare a plan for procuring reinforcements:

That Mr. G. Morris be added to that committee.

A letter of the 26th from general Waſhington was read, with a report incloſed of governor Clinton, general Schuyler and brigadier Hand, on the ſubject of an enterprize againſt Chemung; whereupon *Reſolved*,

Resolved, That Congress approve the reasons for not undertaking for the present an expedition against that place.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of the marine committee, on their application, for one hundred and fifty thousand dollars, to be by them transmitted to the navy board for the eastern district, for the use of their department; the marine committee to be accountable:

The marine committee brought in a report; whereupon

Resolved, That the commissioners of the navy boards in the eastern and middle departments be allowed a salary of three thousand dollars per annum each, in consideration of the extensive business of their departments.

Congress proceeded to the election of a commissioner for the board of war and ordnance, and the ballots being taken,

Colonel R. H. Harrison was elected, having been previously nominated by Mr. Duer.

Resolved, That the salary of the secretary of the board of war and ordnance be two thousand dollars per annum.

Ordered, That Monday next be assigned for electing a secretary for the board of war and ordnance.

The delegates from New-Hampshire laid before Congress the credentials of their appointment, which were read as follows:

"State of NEW-HAMPSHIRE, in the House "of Representatives, August 19, 1779.

"*Resolved* and voted, That the honourable Josiah Bart-"lett, John Wentworth, junior, William Whipple, and "George Frost, esquires, be and hereby are chosen "and appointed delegates to represent this state in the "continental Congress, to be holden for the United States "of America, in November next, and that any two of "them have full power to represent this state in said "Congress for one year, from the first of November "next, unless sooner recalled, or superseded by order "of the general assembly of this state.

"Sent up for concurrence,

"JOHN DUDLEY, speaker pro temp.

"In council, the ſame day, read and concurred,
"E. THOMSON, ſecretary.
"Copy, examined by E. THOMSON, ſecretary."

Ordered, That Mr. Bartlett have leave of abſence.
Ordered, That Mr. R. H. Lee have leave of abſence.
Ordered, That the memorial of captain Harper and the papers relative thereto, be delivered to Mr. R. H. Lee.
Adjourned to ten o'clock on Monday.

MONDAY, *November* 2, 1778.

A letter of October 27th from brigadier count Pulaſki was read:
Ordered, That it be referred to the board of war.
A letter of this day from Chriſtopher Hele was read.
A letter of October 30th from William Killen, chief juſtice of the ſtate of Delaware, was read, with ſundry affidavits incloſed:
Ordered, That the ſame be referred to the committee appointed to enquire into the abuſes in the quartermaſter general's department.
A letter of the 1ſt from the council of New-Jerſey was read:
Ordered, That a copy thereof be ſent to general Waſhington, and that he be directed to take order thereon.
A letter of October 27th from governor Johnſon was read, incloſing one of July 16th to him from the honourable A. Lee, at Paris:
Ordered, That the ſame be referred to a committee of three, who are directed to confer thereon with the honourable ſieur Gerrard, miniſter plenipotentiary of France;
The members choſen Mr. G. Morris, Mr. Drayton and Mr. S. Adams.
A letter of October 27th from Mr. preſident Rodney, of Delaware, and one of the 29th of the ſame month from Mr. J. M'Kinly, with ſundry papers incloſed, were read.
A letter of September 22d from major general R. Howe was read:
Ordered, That it be referred to the committee appointed to prepare a plan for procuring reinforcements.
Another letter of September 22d from major general Howe was read:
Ordered, That it be referred to a committee of three;

The

The members chosen Mr. Duer, Mr. Drayton and Mr. Telfair.

A letter of August 1st from colonel Malcolm was read.

Resolved, That a chaplain be appointed to the garrisons in the posts on Hudson's river in the High lands, and that he be entitled to the same pay and subsistance as a brigade chaplain:

Congress proceeded to the election, and the ballots being taken,

The reverend Mr. John Mason was appointed chaplain to the garrisons in the said posts.

The committee to whom were referred the letter of October 8th from governor Trumbull, and the memorial of William Hoskins, brought in a report:

Ordered, That the consideration thereof be postponed to Wednesday next.

A memorial from lieutenant colonel Oswald was read, requesting leave to resign his commission as lieutenant colonel in the corps of artillery; whereupon it was moved,

That the memorial of lieutenant colonel Oswald be referred to the committee of arrangement, and that general Washington be directed to transmit to the said committee the principles upon which was grounded the determination of the board of general officers convened to adjust the relative rank betwixt colonel Lamb and colonel Harrison, and lieutenant colonel Oswald and lieutenant colonel Carrington, together with a state of the claims of the respective officers above mentioned; and that the committee report to Congress on the premises as soon as possible:

That the president be directed to inform lieutenant colonel Oswald, that Congress, having ordered an enquiry to be made into the principles upon which the board of general officers settled the relative rank betwixt himself and lieutenant colonel Carrington, they cannot for the present accept his resignation.

The previous question being moved,

And the yeas and nays thereon required by Mr. Duer,

Massachusetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Island,	Mr. Marchant,	*no*	*no*
Connecticut,			

Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
New-York,	Mr. Duer,	*no*	*divided*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Clingan,	*ay*	
Maryland,	Mr. Henry,	*ay*	*
Virginia,	Mr. M. Smith,	*ay*	*
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Telfair,	*ay*	*divided*
	Mr. Langworthy,	*no*	

So the main queſtion was ſet aſide.

A motion was then made,

That the memorial be referred to general Waſhington, and that he be directed to report his opinion thereon, together with the grounds on which the board of general officers determined the relative rank of the memorialiſt and lieutenant colonel Carrington, and the difference between the caſes of colonels Lamb and Harriſon, and of lieutenant colonels Carrington and Oſwald:

To which the previous queſtion was moved,

And the yeas and nays being required by Mr. Duer,

Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	*divided*
	Mr. Ellſworth,	*ay*	
New-York,	Mr. Duer,	*no*	*divided*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Clingan,	*ay*	
Maryland,	Mr. Henry,	*ay*	*
North-Carolina,	Mr. Penn,	*ay*	*no*
	Mr. Harnett,	*no*	
	Mr. Williams,	*no*	

South-Carolina,

South-Carolina,	Mr. Laurens,	*no*	
	Mr. Drayton,	*ay*	*ay*
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Telfair,	*no*	
	Mr. Langworthy,	*no*	*no*

So the main queſtion was ſet aſide.

A motion was then made, That the reſignation of lieutenant colonel Carrington be accepted:

At the deſire of South-Carolina the determination of that queſtion was poſtponed till to-morrow.

Adjourned to ten o'clock to-morrow.

TUESDAY, *November* 3, 1778.

Mr. Collins, a delegate from Rhode-Iſland, attended and took his ſeat in Congreſs.

A letter of October 24th from governor Trumbull was read, adviſing that he has drawn on the preſident of Congreſs for fifty thouſand dollars, and incloſing the bill:

Ordered, That it be referred to the board of treaſury.

A memorial from colonel Gridley was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Scudder, Mr. Collins and Mr. Holten.

A letter from the board of war, incloſing a liſt of officers exchanged, was read.

A letter of Auguſt 1ſt from Abraham Livingſton, continental agent in South-Carolina, was read, requeſting leave of abſence, for reaſons therein ſet forth:

Reſolved, That Mr. A. Livingſton have leave of abſence.

Ordered, That the letter be referred to the marine committee.

An extract from the journals of the general aſſembly of South-Carolina was laid before Congreſs and read:

Ordered, That it be referred to the committee on the letter of September 22d from major general Howe, and that the committee report to-morrow.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the marine committee, for five thouſand dollars, advanced upon their application, the 29th of October, for contingent expences; the ſaid committee to be accountable.

A motion

A motion was made,

That the reſolution fixing the ſalary of the auditor general at three thouſand five hundred dollars per annum, be re-conſidered, and that the ſalary of the auditor general be fixed at four thouſand dollars per annum:

On which the yeas and nays being required by Mr. Marchant,

Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	
	Mr. Lovell,	*no*	*no*
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
Connecticut,	Mr. Sherman,	*no*	
	Mr. Ellſworth,	*no*	*no*
New-York,	Mr. Duer,	*ay*	
	Mr. G. Morris,	*ay*	*ay*
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. Roberdeau,	*no*	
	Mr. Clingan,	*no*	*no*
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Henry,	*ay*	*
Virginia,	Mr. M. Smith,	*ay*	*
North-Carolina,	Mr. Penn,	*ay*	
	Mr. Harnett,	*ay*	*ay*
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Matthews,	*ay*	*ay*
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Telfair,	*ay*	
	Mr. Langworthy	*ay*	*ay*

So the ſtates were equally divided, and the queſtion loſt.

A motion was then made to re-conſider the reſolution for ſettling the ſalary of the comptroller:

Queſtion put,

Paſſed in the negative.

Congreſs proceeded to the election of officers for the treaſury, and the ballots being taken,

Jonathan Trumbull, junior, was elected Comptroll r, having been previouſly nominated by Mr. Gerry;

John Gibſon was elected Auditor, having been previouſly nominated by Mr. Sherman;

Michael Hillegas was elected Treaſurer, having been previouſly nominated by Mr. S. Adams;

James

James Milligan, William Govett, Reſolve Smith, Peter Philips, James Wells, William Geddes, } Commiſſioners of the Chambers of Accounts, having been previouſly nominated by { Mr. Marchant, Mr. Gerry, Mr. G. Morris, Mr. Marchant, Mr. Duer, Mr. M'Kean.

The committee to whom were referred the letter of October 27th from the marquis de la Fayette, and the letter of the chevalier Maduit du Pleſſis, with the papers relating thereto, brought in a report:

On the queſtion to agree to the firſt reſolution, viz.

That a brevet commiſſion of colonel of artillery be granted to the chevalier Maduit du Pleſſis, lieutenant colonel of artillery in the ſervice of the United States, as a teſtimonial of the high ſenſe which Congreſs entertain of his zeal, bravery and good conduct, diſplayed on many occaſions, and particularly of the ſervices rendered to the United States in the action of Monmouth, on the 28th of June laſt:

The yeas and nays being required by Mr. Marchant,

Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Marchant,	*no*	*no*
	Mr. Collins,	*no*	
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Ellſworth,	*no*	
New-York,	Mr. Duer,	*no*	*divided*
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*
Virginia,	Mr. M. Smith,	*no*	*
North-Carolina,	Mr. Penn,	*ay*	*divided*
	Mr. Harnett,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*divided*
	Mr. Drayton,	*no*	
	Mr. Matthews,	*no*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Telfair,	*no*	*no*
	Mr. Langworthy,	*no*	

So it paſſed in the negative.

Ordered, That the remainder of the report be re-committed.

That

That Mr. Lovell be added to the committee, and Mr. G. Morris excuſed from attending.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *November* 4, 1778.

The honourable ſieur Gerard, miniſter plenipotentiary and conſul general of France, having tranſmitted to Congreſs a commiſſion appointing the ſieur Plombard conſul of France in the ſtate of South-Carolina, the ſame was read and confirmed:

Ordered, That it be referred to the marine committee; that they regiſter it and notify the appointment to whom it may concern, and return the commiſſion to Mr. Gerard.

A letter of October 26th from brigadier count Pulaſki; one of November 3d from Peter Craig; and one of this day from Fohrer and Kleinſmit; were read:

Ordered, That they be referred to the board of war.

A letter of this day from monſieur L'Eciſe, and a petition from Prudent Juneſſe, were read:

Ordered, That they be referred to the board of treaſury.

A letter of the 1ſt from major general lord Stirling was read.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. Holten, one of the delegates of the ſtate of Maſſachuſetts-Bay, for fifteen hundred dollars, advanced upon his application; for which the ſaid ſtate is to be accountable:

That a warrant iſſue on the treaſurer in favour of Jeremiah Wadſworth, commiſſary general of purchaſes, for nine hundred thouſand dollars, for the uſe of his department; for which he is to be accountable:

That a warrant iſſue on the treaſurer in favour of the paymaſter of the board of war and ordnance, for five hundred thouſand dollars, to be by him tranſmitted to Benjamin Stelle, eſquire, deputy paymaſter at Providence; and that the ſaid ſum be charged to Ebenezer Hancock, deputy paymaſter general in the eaſtern diſtrict, who is to be furniſhed with a copy of this order, and to be accountable.

Reſolved,

Resolved, That ten million one hundred dollars, in bills of credit, be emitted under the direction of the board of treasury and on the faith of the United States:

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 26th of September last, and be numbered from the last number in each denomination progressively, and consist of the following denominations, viz.

45455	bills of the denomination of	60 dollars,	2,727,300
45455	do. - -	50 do. -	2,272,750
45455	do. - -	40 do. -	1,818,200
45455	do. - -	30 do. -	1,363,650
45455	do. - -	20 do. -	909,100
45455	do. - -	8 do. -	363,640
45455	do. - -	7 do. -	318,185
45455	do. - -	5 do. -	227,275
			10,000,100

Ordered, That a warrant issue on the treasurer in favour of Thomas Kennedy, for fifty thousand dollars, in discharge of a bill drawn by his excellency Jonathan Trumbull, esquire, governor of the state of Connecticut, dated Hartford, October 24th, 1778, in favour of Nathaniel Shaw, for that sum, on the president of Congress; the state of Connecticut to be accountable:

That a warrant issue on the treasurer in favour of Jeremiah Wadsworth, esquire, commissary general of purchases, for two millions three hundred thousand dollars, for the use of his department:

That a warrant issue on Thomas Smith, commissioner of the continental loan-office in the state of Pennsylvania, in favour of Jonathan Potts, deputy director general, for one hundred and thirty thousand dollars, for the use of his department; he to be accountable.

A motion being made respecting the medical department,

Ordered, That it be referred to the medical committee.

Congress proceeded to the election of two members to attend the board of war, and the ballots being taken,

Mr. Sherman and Mr. Matthews were elected.

Congress proceeded to the election of a secretary of the board of war and ordnance, and the ballots being taken,

Major Peter Scull was elected, having been previouſly nominated by Mr. Duer.

Ordered, That three hundred copies of the Treaties of Amity and Commerce, and of Alliance, entered into between His Moſt Chriſtian Majeſty and the United States of America, be printed.

Congreſs proceeded to the election of three commiſſioners of the navy board in the middle diſtrict, and the ballots being taken,

John Wharton, James Reed and William Winder, were elected, having been previouſly nominated by the marine committee.

Reſolved, That a committee of three be appointed to confer with the managers of the lottery, and report to Congreſs a proper allowance for their ſervices;

The members choſen Mr. Marchant, Mr. Roberdeau and Mr. Holten.

Adjourned to ten o'clock to-morrow.

THURSDAY, *November* 5, 1778.

Mr. Whipple, a delegate from New-Hampſhire, attended and took his ſeat in Congreſs.

A letter of October 21ſt from E. Hinman, late captain of the Alfred, was read.

A letter of October 29th from general Waſhington, with ſundry papers incloſed, was read:

Ordered, That the ſame be referred to a committee of three, and that they be impowered to take ſuch ſteps thereon as they ſhall think proper;

The members choſen Mr. Scudder, Mr. G. Morris and Mr. Whipple.

A letter of October 31ſt from general Waſhington was read, incloſing a letter of the 16th of the ſame month from John Connolly:

Ordered, That the letter from J. Connolly be referred to the committee on the letter of September 15th from Mr. John Beatty, commiſſary of priſoners.

A letter of October 30th from J. Beatty, commiſſary of priſoners, was read, incloſing a letter of the 29th of the ſame month to him from James Dick, at New-York:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Witherſpoon, Mr. Drayton and Mr. S. Adams.

A report from the board of war was read; whereupon

Reſolved,

on

Resolved, That the three companies, commanded by captains Cluggage, Black, and M'Donald, raised for the defence of the frontiers of Pennsylvania, be re-inlisted and compleated to their full complement, for the space of one year from the 15th day of December next, unless sooner discharged by Congress:

That every non-commissioned officer and private inlisting in the said companies receive as a bounty a suit of cloaths, to consist of the articles usually allowed the continental troops, and that it be stipulated with the said non-commissioned officers and privates so inlisting, that they shall not be removed from the frontiers of the said state on any account whatever, except on expeditions against the Indians.

A letter of this day from lieutenant colonel Gimat was read; whereupon

The committee to whom a report on the letter of October 27th from the marquis de la Fayette, and the letter from the chevalier de Maduit du Plessis, with the papers relative thereto, were re-committed, brought in a report, which was taken into consideration, and thereupon Congress came to the following resolutions:

Whereas the chevalier de Maduit du Plessis, lieutenant colonel of artillery in the army of the United States, apprehending that the war is near a conclusion in this country, is desirous of returning to France, to offer his service to his prince, now engaged in hostilities with our common enemy:

Resolved, That the chevalier de Maduit du Plessis have leave to withdraw from the service of these United States, and that the president give him a written testimonial of the high sense which Congress entertain of his zeal, bravery and good conduct, during his service in America.

And whereas the chevalier came out from France at his own expence, and has never received any of the advances and gratuities which have been made to the other officers of monsieur du Coudray's corps:

Resolved, That a bill of exchange be drawn on the minister plenipotentiary of the United States at the court of France, in favour of the chevalier de Maduit du Plessis, for five thousand livres tournois, and that the sum of two hundred dollars be paid to him, the same to be in full of all gratuities claimed, or demands made or to be made, by him against these United States.

Resolved,

Reſolved, That an honorary certificate of his zeal and ſervices be given to lieutenant colonel Gimat; and that a bill of exchange be drawn on the miniſter plenipotentiary of the United States at the court of France, in favour of lieutenant colonel Gimat, for five thouſand livres tournois, and that the ſum of two hundred dollars be paid to him to defray his expences to the port of embarkation.

Reſolved, That the commiſſion of major by brevet be granted to monſieur Capitaine, a captain in the ſervice of the United States, and that a bill of exchange for two thouſand four hundred livres tournois be drawn on the miniſter of the United States at Paris, in favour of monſieur Capitaine, for his expences in coming to and returning from America.

Reſolved, That a bill of exchange for eleven hundred and fifty livres tournois be drawn on the miniſter aforeſaid, in favour of monſieur de la Colombe, for his expences in coming to and returning from America.

Reſolved, That a bill of exchange for eleven hundred and fifty livres tournois be drawn on the miniſter aforeſaid, in favour of monſieur Pontgibeau, for his expences in coming to America and for his return.

On motion,

Reſolved, That John Laurens, eſquire, aid de camp to general Waſhington, be preſented with a continental commiſſion of lieutenant colonel, in teſtimony of the ſenſe which Congreſs entertain of his patriotic and ſpirited ſervices as a volunteer in the American army, and of his brave conduct in ſeveral actions, particularly in that of Rhode-Iſland on the 29th of Auguſt laſt; and that general Waſhington be directed, whenever an opportunity ſhall offer, to give lieutenant colonel Laurens command agreeable to his rank.

The committee to whom was referred the letter of governor Trumbull, reſpecting major Derick, and Mr. Erkelins's plan of a negociation for a loan, brought in a report; whereupon

Reſolved, That major Derick be permitted to return to the United States of the Netherlands, and that he be promoted to the rank of lieutenant colonel by brevet, as a teſtimony of his merit and ſervices in the army of the United States.

Ordered, That the preſident return an anſwer to governor Trumbull, and alſo to Mr. Erkelins, thanking him for

for his zeal in the ſervice of the United States, but informing him and governor Trumbull that Congreſs are not yet prepared to adopt the ſcheme of a negociation for the loan propoſed.

Adjourned to ten o'clock to-morrow.

FRIDAY, *November* 6, 1778.

Reſolved, That Mr. Whipple be appointed a member of the marine committee, for New-Hampſhire, in the room of Mr. Bartlett, abſent.

A letter of this day from lieutenant colonel John Laurens was read, expreſſing "his gratitude for the unexpected honour which Congreſs were pleaſed to confer on him by the reſolution paſſed yeſterday, and the high ſatisfaction it would have offorded him could he have accepted it without injuring the rights of the officers in the line of the army, and doing an evident injuſtice to his colleagues in the family of the commander in chief: that having been a ſpectator of the convulſions occaſioned in the army by diſputes of rank, he holds the tranquility of it too dear to be inſtrumental in diſturbing it; and therefore entreating Congreſs to ſuppreſs the reſolve of yeſterday ordering him a commiſſion of lieutenant colonel; and to accept his ſincere thanks for the intended honour:" whereupon

Reſolved, That Congreſs highly approve the diſintereſted and patriotic principles upon which lieutenant colonel J. Laurens has declined to accept the promotion conferred upon him by Congreſs.

A letter of the 5th from Peter Scull was read, notifying his acceptance of the appointment of ſecretary to the board of war and ordnance.

A letter of the 4th from Mr. preſident Rodney, of the ſtate of Delaware, was read, informing "that the members of the houſe of aſſembly have, by ſome means or other, in the courſe of the 2d and 3d inſtant, diſperſed, and thereby the houſe diſſolved without having compleated any one piece of the buſineſs laid before them:" whereupon

Reſolved, That the preſident write to the honourable C. Rodney, eſquire, preſident of the ſtate of Delaware, and requeſt him to call the aſſembly of that ſtate together as ſoon as poſſible.

A letter of October 12th from major general R. Howe was read, incloſing a return of the ſtores belonging to the United

United States in the arſenal and magazine at Charles-Town, South-Carolina:

Ordered, That the letter be referred to the committee on the memorial from the marquis de Britigny:

That the return of the ſtores be referred to the board of war.

A letter of the 5th from J. Simons to the board of war, and a copy of one of October 28th from J. Loring, at New-York, to David Franks, were laid before Congreſs:

Ordered, That they be referred to the board of war, and that the board be directed to report thereon.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on John Gibſon, eſquire, auditor general, for two hundred and ſixty thouſand five hundred and thirty eight dollars and 48 90ths, in favour of Michael Hillegas, treaſurer, it being the balance of the laſt million of dollars put into the hands of the ſaid auditor general; for which the treaſurer is to be accountable.

Ordered, That a warrant iſſue on the treaſurer in favour of doctor J. Witherſpoon, one of the delegates of the ſtate of New-Jerſey, for three hundred dollars, advanced upon his application; for which the ſaid ſtate of New-Jerſey is to be accountable.

Adjourned to ten o'clock to-morrow.

SATURDAY, *November* 7, 1778.

A memorial from captain Stephen Chambers was read.

Sundry certificates relative to the purchaſe of horſes by colonel Hartley were read; whereupon

Ordered, That the quartermaſter general be directed to pay for horſes purchaſed by order of colonel Hartley, for the purpoſe of marching the infantry commanded by captain Carbury, and for baggage horſes on the late excurſion againſt the Indians, on proper certificates being produced.

Two letters of October 29th from major general Heath, one of them incloſing a letter from major Harnage, were read:

Ordered, That they be referred to a committee of three;

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The members chosen Mr. Lovell, Mr. Scudder and Mr. Marchant.

A letter of October 31st from major general Sullivan, at Providence, was read, with a letter from major Talbot inclosed:

Ordered, That the letter from major Talbot be referred to the marine committee, and be published.

A petition from monsieur Lassier was read:

Ordered, That it be dismissed.

A letter of October 30th from major general Schuyler, with sundry papers inclosed, was read:

Ordered, That it be referred to the board of war.

Resolved, That Wednesday next be assigned for the consideration of the proceedings of the court-martial on the trial of major general Schuyler.

A petition from the chevalier de Crenis was read; whereupon

Resolved, That a brevet commission of lieutenant colonel be granted to the chevalier de Crenis.

A letter of October 8th from J. Conolly was read:

Ordered, That it be referred to the committee on the letter of the 15th from Mr. Beatty.

A letter of the 7th from Mr. D. Franks was read.

The committee to whom was referred the letter from David Franks to Moses Franks, brought in a farther report; whereupon

Resolved, That the letter of D. Franks of the 18th of October last, and the proceedings of Congress thereon, be transmitted to the supreme executive council of the state of Pennsylvania, and that he be no longer considered as a prisoner of the United States.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of the honourable John Williams, esquire, one of the delegates of North-Carolina, for eight hundred dollars, advanced on his application; the said state to be accountable:

That a warrant issue on the treasurer in favour of William Kennon, copper-plate printer, for two hundred dollars, advanced him on account of printing bills of exchange:

That a warrant issue on the treasurer in favour of the marquis de la Fayette, major general in the service of the

the United States, payable to his order, agent or attorney, for three thouſand ſeven hundred and eighty-ſeven dollars and 56 90ths, for ſundry expences and diſburſements in conſequence of his appointment to the command of the troops in the northern department in February laſt.

Ordered, That the chaplains of Congreſs prepare and report a recommendation to the ſeveral ſtates to ſet apart the 30th day of December next as a day of general thanksgiving throughout the United States.

The board of war, to whom were referred the letter of the 5th from J. Simons, and the letter of October 28th from J. Loring to D. Franks, brought in a report; whereupon

Reſolved, That the commiſſary general of priſoners be directed to take proper meaſures, until the farther order of Congreſs, for the temporary ſupply of the Britiſh priſoners of war captivated by the army of the United States with ſuch quotas of rations as are furniſhed our priſoners in the hands of the enemy by the Britiſh commiſſaries:

That the commiſſaries general of purchaſes and iſſues and their deputies be directed to comply with ſuch requiſitions as ſhall be made to them from time to time by the commiſſary general of priſoners, for ſuch articles of proviſions as ſhall be neceſſary to furniſh the Britiſh priſoners, agreeably to the above direction of Congreſs.

Ordered, That the ſecretary furniſh the commiſſary general of priſoners with a copy of the letter of January 19th, 1778, from ſir William Howe to general Waſhington, with the papers incloſed, ſpecifying the quota of rations furniſhed to our priſoners in the enemy's hands by the Britiſh commiſſaries.

Ordered, That the memorial of lieutenant colonel Oſwald, preſented and read on the 2d inſtant, be referred to a committee of three;

The members choſen Mr. Sherman, Mr. Duer and Mr. Marchant.

A letter of the 6th from captain Mansfield was read, deſiring leave to reſign his commiſſion:

Reſolved, That his reſignation be accepted, and that the commiſſion be ſent to the board of war, who are directed to make ſuch indorſement thereon as they ſhall think ſuited to his merit.

Adjourned to ten o'clock on Monday.

MONDAY,

MONDAY, *November* 9, 1778.

Mr. Francis Lightfoot Lee, a delegate from Virginia, attended and took his ſeat.

A letter of October 26th from major general Sullivan was read, with ſundry papers incloſed reſpecting forage:

Ordered, That the ſame be referred to the board of war.

A letter of October 30th from major general Gates, at Hartford; one of the ſame date from Peter Colt; and one of the ſame date from governor Trumbull; and one of the 5th inſtant from major general lord Stirling; were read.

An extract from the journals of the aſſembly of South-Carolina, purporting to be "a report of the committee "on the preſident's meſſage, relative to the hoſpital "eſtabliſhment and military arrangements of the ſtate, "as agreed to by the houſe," was laid before Congreſs:

Ordered, That ſo much thereof as relates to the hoſpital be referred to the medical committee, and the remainder to the board of war.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to the officers and privates of the invalid regiment, commanded by colonel Lewis Nicola, for pay and ſubſiſtance for the month of September, 1778, one thouſand ſeven hundred and ſix dollars and 60-90ths, as by muſter-rolls and pay-rolls appears:

That there is due to Thomas Eddiſon, his pay as clerk in the ſecretary's office from the 13th of Auguſt to the 31ſt of October, incluſive, being two months and twenty days, at one hundred dollars per month, two hundred and ſixty-ſix dollars and 60-90ths:

Ordered, That the ſaid accounts be paid.

Ordered, That ſo much of the report as relates to John Norman be referred to the board of treaſury.

A letter of October 28th from J. Loring to J. Beatty, was laid before Congreſs and read:

Ordered, That it be referred to the committee on the letter of September 15th from Mr. Beatty.

The committee to whom was referred the letter of October 30th from J. Beatty, commiſſary of priſoners, brought in a report; whereupon

Ordered, That commiſſary Beatty be furniſhed with a copy of the reſolutions of Congreſs on the ſubject of ſeditious papers circulated under the colour of flags, and

informed, that, in the opinion of Congreſs, there was good reaſon for confining the pilot, lieutenant and crew of the veſſel mentioned in his letter: that if any objections are made to it on the part of the enemy, they muſt be diſcuſſed and ſettled on national grounds, and therefore that the peremptory requiſition of admiral Gambier will not be complied with.

The committee to whom was referred the letter of October 29th from major general Heath, with the papers incloſed, brought in a report; whereupon

Reſolved, That the reſolution of Congreſs of October 21ſt, relative to partial parole exchanges, be tranſmitted to major general Heath for his government: that at the ſame time he be informed, that Congreſs have no objection to his giving paſſes to Mrs Reynolds, her children and female ſervants, to go to Europe, Rhode-Iſland or New-York; or to his allowing major Harnage and captain Hawker to continue on parole in the ſtate of Maſſachuſetts-Bay, with their families, upon their engaging to ſupply themſelves.

Adjourned to ten o'clock to-morrow.

TUESDAY, *November* 10, 1778.

A letter of the 6th from major general Greene, quartermaſter general, was read.

Whereas it hath become neceſſary not only that ſpeedy and vigorous meaſures ſhould be taken to regulate the commiſſary's and quartermaſter's departments, but alſo that a conſtant attention ſhould be paid to thoſe departments:

Reſolved, That Mr. Scudder, Mr. G. Morris and Mr. Whipple be a committee to ſuperintend the ſame departments, and that they or any two of them be impowered to take ſuch ſteps relating to the ſame as they ſhall think moſt for the public ſervice.

Ordered, That the letter from major general Greene be referred to the ſaid committee.

A letter of the 6th from general Waſhington, and one of the ſame date from W. Palfrey, paymaſter general, were read.

A memorial from Patrick M'Cloſky, and alſo a memorial from William Dodd, Levallin Barry, Patrick M'Cloſky and Richard Roſs, were read:

Ordered,

Ordered, That they be referred to the board of treaſury, and that they be impowered to give ſuch relief as they may think the memorialiſts are equitably entitled to.

An application from the chevalier de Crenis was read:

Ordered, That it be referred to the board of treaſury.

A letter of October 30th from Phineas Pierce, lieutenant in captain Spaulding's company, was read, deſiring leave to reſign his commiſſion, on account of his being incapable of ſerving longer by reaſon of wounds he received in the year 1776:

Reſolved, That the reſignation of lieutenant Phineas Pierce be accepted.

Ordered, That twenty copies of the index to the firſt volume of the journals of Congreſs, and twenty copies of the ſecond volume, be delivered to the delegates of each ſtate, for the uſe of their reſpective ſtates.

Ordered, That the plan of finance be an order for to-morrow, and that Congreſs proceed on the conſideration of that buſineſs every day after preciſely at one o'clock, until the ſame be finiſhed, and that this rule be not broken unleſs by unanimous conſent.

The committee to whom were referred a report of the committee of the general aſſembly of South-Carolina, concurred in by the houſe on the 8th of September, 1778, and ordered to be tranſmitted to Congreſs, and alſo a letter of September 22d from major general Howe, brought in a report, which was read.

A letter of September 13th from the marquis Bouille, governor of Martinique, and directed to the committee of foreign affairs, was read:

Ordered, That it be referred to the committee appointed to confer with the miniſter of France.

Ordered, That Mr. Holten be added to the committee appointed to ſuperintend the publication of the journals.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *November* 11, 1778.

Mr. Ellery, a delegate from Rhode-Iſland, attended and took his ſeat in Congreſs.

A memorial from the honourable ſieur Gerard, miniſter plenipotentiary of France, was read, repreſenting that he has "purchaſed, for account of His Moſt Chriſ-

"tian

" tian Majeſty, the cargoes of two veſſels, one called " the Gentille, George Andrè, maſter; the other the " Adventurer, Joſeph Taſſis, maſter; which veſſels are " now in the port of Peterſburgh, in Virginia: that " both cargoes conſiſt of between twelve and thirteen " hundred barrels of flour, and about one hundred and " fifty barrels of bread: that the deſtination of this pro- " viſion requires its immediate departure;" and there- fore entreating Congreſs " to give the neceſſary orders " for the departure of theſe veſſels:" whereupon

Ordered, That the preſident write to the governor of Virginia, explain to him the nature of this tranſaction and the neceſſity of the veſſels immediate departure, and deſire him to give orders accordingly.

Ordered, That the committee for ſuperintending the commiſſary and quartermaſter's departments confer with monſieur Gerard on the danger that may reſult from an interference with the commiſſary general or his deputies on the purchaſe of proviſions in the preſent ſituation of affairs.

A letter of the 9th from general Conway was read:

Ordered to lie on the table.

Congreſs took into conſideration the report of the committee on finance, and ſome time being ſpent thereon,

Adjourned to ten o'clock to-morrow.

THURSDAY, *November* 12, 1778.

A letter of the 11th from Mr. de Francey, was read:

Ordered, That it be referred to the committee of commerce.

Ordered, That Mr. Whipple and Mr. Ellery be added to the ſaid committee, and that the committee be impowered to employ a ſuitable perſon as a clerk.

Ordered, That Monday next be aſſigned for conſidering the commercial affairs of Congreſs and the propriety of putting them into commiſſion; and that the committee of commerce on that day lay on the table a plan for conducting commercial affairs.

The committee of foreign affairs laid before Congreſs a letter of the 16th and one of September 26th from W. Bingham, at Martinique, which were read, and returned to the committee.

The marine committee laid before Congreſs a letter of October 31ſt from W. Smith, at Baltimore, which was

read,

read, informing that Mr. Dugan's veſſel, on board of which Mr. Smith had ſhipped flour, agreeably to the order of the marine committee, has been ſeized; whereupon

Ordered, That the preſident write to governor Johnſon, and inform him that the marine committee are impowered and directed to ſend proviſions by ſea to the eaſtern ſtates, for the uſe of the navy: that the public ſervice requires that every aid ſhould be given to the marine committee to facilitate the execution of this buſineſs; and that the government of Maryland be requeſted to permit the veſſels taken up and loaded by order of the marine committee to proceed on their voyage with all diſpatch.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer for ſeventy-five thouſand dollars, in favour of Jonathan Potts, deputy director general, and another warrant in his favour on Derick Ten Broek, eſquire, commiſſioner of the continental loan-office in the ſtate of New-York, for ſeventy-five thouſand dollars; both which ſums, amounting to one hundred and fifty thouſand dollars, are for the uſe of the hoſpitals in the northern department; and for which the ſaid deputy director general is to be accountable.

Ordered, That the petitions of monſieur L'Ecliſe and monſieur la Jeuneſſe, which were referred to the board of treaſury, be referred to the board of war, and that they take ſuch meaſures thereon as they ſhall judge expedient.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to David Moſely, for his pay, boarding, &c. as a copper-plate printer from June 25th to November 14th, 1778, a balance of one hundred and twenty-one dollars:

That there is due to the reverend Mr. Lotbinier, his pay and ſubſiſtance as chaplain to colonel James Livingſton's regiment, from October the 11th to November 10th, 1778, inclusive, ſixty dollars:

That there is due to John Radeiſell, for hire of his waggon and ferriages from York county to Amboy, and returning home in Auguſt, 1776, eighty-ſix dollars and 31-90ths:

That

That there is due to George Shallus, for victualling Pennſylvania militia in 1776, fifty-eight dollars:

Ordered, That the ſaid accounts be paid.

Ordered, That the report of the commiſſioners on the claims of Henry Kreven and Godfrey Frey, be referred to the committee appointed to ſuperintend the commiſſary's and quartermaſter's departments, and that they be directed to confer with the quartermaſter general and barrack-maſter upon the ſubject, and report reſolutions for determining all ſuch caſes for the conſideration of Congreſs.

The committee to whom was referred the letter of September 15th from J. Beatty, commiſſary of priſoners, with two letters from J. Loring, dated September 1ſt and October 28th, and ſundry letters from John Conolly, report the following ſtate of facts;

"That doctor John Conolly, now ſtiling himſelf lieutenant colonel in the Britiſh ſervice, was, in the latter end of November, 1775, apprehended in Frederick county in Maryland, in company with a certain Allan Cameron and John Smith, by the committee of inſpection of that county: that at the time he was taken he was not in arms; or at the head of any party in arms; but was clandeſtinely making his way to Detroit, in order to join, give intelligence to, and otherwiſe aid the garriſon at that place, as appears by his own intercepted letter of December 16th, 1775, addreſſed to the commanding officer of that fortreſs, and by general Waſhington's letter to Congreſs of December 25th, 1775:

That a number of officers in the Britiſh ſervice, who were made priſoners long after the ſaid John Conolly was apprehended, have been exchanged in courſe, and no demand has been made till within theſe few months paſt by any Britiſh general for the releaſe or exchange of the officer laſt mentioned:

With reſpect to the treatment of the ſaid John Conolly, the committee report, That at the time he was firſt apprehended he was confined, under guard, by the committee of inſpection in the town of Frederick, in an apartment ſeparate from his aſſociates, without any circumſtance to aggravate his captivity except the being debarred the uſe of pen, ink and paper: that notwithſtanding this reſtraint he contrived to write ſeveral letters of intelligence to the Britiſh officers commanding at the poſts of Detroit and Kuſkuſkis, which letters were found on the perſon

perſon of doctor Smith, one of his aſſociates, who, having eſcaped from the town of Frederick, was again apprehended: that, by the reſolution of Congreſs of December 8th, 1775, he was ordered to be "confined in "priſon at Philadelphia:" that being brought to that city he was confined in the new jail, where he continued till about the month of November, 1776, when he was permitted, on account of a declining ſtate of health, to reſide on his parole at the houſe of his brother-in-law on the river Suſquehannah, where he continued for about two months when, on information being given to the council of ſafety of the ſtate of Pennſylvania of certain ſuſpicious circumſtances relative to him, he was re-manded to his former place of confinement, in which he continued till about Spring, 1777, when he was again permitted, on his parole and the ſecurity of his brother-in-law, to return to his former place of reſidence on the river Suſquehannah:

That during theſe periods of his confinement in the New Jail he had for the greateſt part of the time a ſeparate apartment to himſelf, the privilege of walking in the yard, a perſon allowed to attend him in his apartment, and his own ſervant permitted to fetch him ſuch neceſſaries as he choſe to order; and that during the ſhort period when he had not a ſeparate apartment there were never more than two perſons in the ſame room, ſeldom more than one, and thoſe ſome of his aſſociates, or in conſequence of his particular requeſt: that during thoſe periods of time he made two attempts to eſcape, in which he was detected: that, on authentic information being given to Congreſs at York-Town, that the ſaid lieutenant colonel John Conolly was acting in a manner not conſiſtent with the ſpirit of his parole, and the frontiers being then threatened with a barbarous war, in which there was reaſon to apprehend he was deſigned as an inſtrument, he was ordered into confinement in the jail at York-Town on the 13th day of October, 1777: that on the 17th day of May, 1778, the ſaid J. Conolly, with ſeveral others confined in the ſaid jail, made a repreſentation to Congreſs, ſetting forth, in the ſtrongeſt colouring, the hardſhips and cruelties which they declared they were then ſuffering:

That, on the reſult of a ſtrict enquiry, and after the jail had been viſited by colonel Pickering, one of the members

members of the board of war, it appeared that the ſuggeſtions contained in the ſaid repreſentation were ſcandalous and groundleſs; and the report of the board of war was, on the 23d of May, ordered to be publiſhed: that ſince the evacuation of Philadelphia the ſaid John Conolly was remanded to the New Jail in that city, where, excepting the ſpace of about fourteen days, when two perſons were neceſſarily obliged to ſleep in the ſame room, he has had a ſeparate and commodious apartment of his own choice, the privilege of his own ſervant to attend him conſtantly, and to bring him whatever he may require, and the unreſtrained uſe of a ſpacious yard to take the air in, during the day: that, in his letter of October 12th, 1778, the ſaid J. Conolly, declares, "that the common rights of humanity are denied him," and paints his ſituation in ſuch terms, as would tend to induce a belief that the moſt wanton cruelties and reſtraints are impoſed upon him:

That, in conſequence of a requeſt of J. Conolly to be heard in perſon by a committee of Congreſs, this committee has complied with his requeſt, when he declared, in the preſence of your committee, "that, excepting "the reſtraint of his perſon under the limits above-men-"tioned, which, however indulgent they might appear, "he conceived unfavourable to his ſtate of health, he "experienced every other relief which could be extend-"ed to a perſon in confinement:" that Joſhua Loring, eſquire, Britiſh commiſſary of priſoners, in his letter to Mr. Beatty of September 1ſt, 1778, threatens to retaliate on an American priſoner of war of an equal rank with lieutenant colonel Conolly, for the ſufferings which it is pretended that officer endures: whereupon

Reſolved, That lieutenant colonel John Conolly cannot of right claim to be conſidered and treated as a priſoner of war, but that he was, at the time he was apprehended and ſtill is, amenable to law-martial as a ſpy and emiſſary from the Britiſh army:

That the repeated repreſentations made by lieutenant colonel John Conolly, of the grievances he undergoes, are not founded on facts:

That general Waſhington be directed to tranſmit the foregoing reſolutions and ſtate of facts to the commander in chief of his Britannic Majeſty's forces in New-York, and to inform the ſaid officer, that if, under the pretext

of

of retaliating for the pretended ſufferings of a perſon who by the law of nations has no right to be conſidered as a priſoner of war, any American officer, entitled to be conſidered and treated as a priſoner of war, ſhall undergo any extraordinary reſtraints or ſufferings, Congreſs are determined to retaliate on the perſon of an officer of the firſt rank in their poſſeſſion, for every ſpecies of hardſhip or reſtraint on ſuch account inflicted.

Ordered, That Mr. Matthews have leave of abſence.

Congreſs reſumed the conſideration of the report on finance, and ſome time being ſpent thereon,

Adjourned to ten o'clock to-morrow.

FRIDAY, *November* 13, 1778.

Ordered, That Mr. Telfair have leave of abſence.

Ordered, That Mr. S. Adams be added to the committee appointed to ſuperintend the publication relative to diſputes, petitions and negociations to and with the court of Great-Britain, and that the committee be impowered to proceed in the publication as they judge proper.

Ordered, That the ſtate of facts and reſolutions relative to J. Conolly be publiſhed.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, in favour of doctor William Shippen, director general, for ſeventy-five thouſand dollars, to enable him to diſcharge ſundry debts due from his department previous to the firſt of March laſt; the ſaid director general to be accountable:

That a warrant iſſue on the treaſurer in favour of John Norman, for forty dollars, for the uſe of his rolling preſs for five weeks.

Reſolved, That three members be added to the board of treaſury;

The members choſen Mr. Hutſon, Mr. Ellſworth and Mr. F. L. Lee.

Ordered, That a warrant iſſue on the treaſurer in favour of the committee of commerce, for nine thouſand nine hundred and ſeventy-five dollars and 7-90ths, to enable them to pay Gerard William Beekman and Company two thouſand two hundred and thirty-nine dollars and

52-90ths, for freight, &c. of the ſhip Mary, chartered by the ſaid committee, and to pay a bill drawn on them by meſſieurs James and Adam Hunter, of Virginia, in favour of Mr. A. Strettle, dated October 26th, 1778, for ſeven thouſand ſeven hundred and thirty-five dollars and 45-90ths; the ſaid committee to be accountable.

A report from the board of war was read; whereupon

Reſolved, That the commanding officer in the ſouthern department be impowered, if he ſhall find it neceſſary, to appoint a deputy judge advocate for the troops in Georgia, to act ſo long as occaſion requires, and to be entitled to the uſual monthly pay and allowance.

Congreſs reſumed the report of the committee on finance, and after ſome time ſpent thereon,

Adjourned to ten o'clock to-morrow.

SATURDAY, *November* 14, 1778.

A letter from lieutenant Donald Macleod, a priſoner on parole, was read, praying, in behalf of himſelf and eleven others, in ſimilar circumſtances, that two of them may be permitted to go to New-York to negociate an exchange; or if that cannot be obtained, to bring a ſupply for them all:

Ordered, That it be referred to the board of war.

A letter of this day from major general Arnold was read, incloſing a letter of the 9th from R. Peters, member of the board of war:

Ordered, That the ſame be referred to the board of war.

A letter of the 13th from Mr. S. Deane was read, incloſing a memorial on the ſubject of currency, and eſtabliſhing a marine or naval force for the defence of the American coaſts:

Ordered to lie on the table, for the peruſal of the members.

A letter of the 9th from colonel Hartley, at Sunbury, to the council of Pennſylvania, and one of the ſame date to the board of war, were laid before Congreſs and read; whereupon

Ordered, That a copy of the letter to the board of war be ſent to general Waſhington, and that he be directed to take ſuch meaſures relative to the ſubject matter thereof, as he may judge neceſſary:

That

That the board of war give orders to the proper officers, for furniſhing the troops in the poſts on the weſtern frontiers under the command of colonel Hartley with proviſions and other neceſſary ſupplies.

The marine committee, to whom was referred the letter from major Silas Talbot, brought in a report; whereupon

Reſolved, That Congreſs have a high ſenſe of the bravery and good conduct of major Silas Talbot, of the ſtate of Rhode-Iſland, and the officers and men under his command, in boarding and taking the armed ſchooner Pigot, of eight twelve pounders and forty-five men, in the eaſt paſſage between Rhode-Iſland and the main; and that he, as a reward of his merit and for the encouragement of a ſpirit of enterprize, be preſented with the commiſſion of lieutenant colonel in the army of the United States.

Another report from the marine committee was read; whereupon

Reſolved, That, to encourage ſeamen to enter into the ſervice of the United States, thoſe who ſhall engage for a term not leſs than twelve months be ſupplied with ſlops in ſuch quantities and with ſuch abatements, not exceeding fifty per cent. on the coſt thereof, as the marine committee ſhall from time to time judge neceſſary.

Reſolved, That purſers be appointed in the navy of the United States for all veſſels not under ſixteen guns, and that their pay be equal to that of ſurgeons in the navy.

Whereas by the act of Congreſs, ordering the diſtribution of prize money amongſt the petty-warrant and petty officers in the navy of the United States, no proviſion has been made for the carpenter's and gunner's mates:

Reſolved, That the carpenter's and gunner's mates ſhare equally in prize money with the other petty warrant and petty officers in the navy of the United States.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of John Gibſon, eſquire, for four thouſand ſeven hundred and ten dollars, to enable him to diſcharge the reſidue of a warrant drawn on him by the honourable John Hancock, eſquire, preſident of Congreſs, in favour of the delegates of the ſtate of Rhode-Iſland, for ten thouſand dollars, dated July 5th, 1777; for which the ſaid J. Gibſon is to be accountable.

Ordered,

Ordered, That Mr. Marchant have leave of abſence.

Congreſs reſumed the conſideration of the report of the committee on finance, and after ſome time ſpent thereon,

Adjourned to ten o'clock on Monday.

MONDAY, *November* 16, 1778.

Reſolved, That Mr. F. L. Lee be diſcharged from attending the board of treaſury, and that he be appointed to attend the board of war, as a member of this houſe, in the room of Mr. Matthews.

A letter of this day from the board of war was read, incloſing a copy of a letter of October 31ſt from J. Loring to colonel Beatty, ſummoning all the officers who are at home on their paroles to repair immediately to New-York:

Ordered, That the ſame be referred to the board of war, and that the board give orders to ſuſpend the publication of the ſummons until they report thereon.

A letter from J. Melcher, barrackmaſter, was read, with ſundry papers incloſed:

Ordered, That the ſame be referred to the board of war.

A letter of the 15th from the marquis of Britigny was read.

Congreſs reſumed the conſideration of the report of the committee on finance, when a motion was made,

That the four firſt propoſitions of the report be referred to a committee of the whole houſe:

On the queſtion put,

The yeas and nays being required by Mr. Duer,

New-Hampſhire,	Mr. Whipple,	*no*	*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*divided*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
	Mr. Marchant,	*no*	
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Ellſworth,	*no*	
New-York,	Mr. Lewis,	*ay*	*ay*
	Mr. Duer,	*ay*	
New-Jerſey,	Mr. Scudder,	*no*	*no*

Pennſylvania,

Pennſylvania,	Mr. Roberdeau,	*no*	
	Mr. James Smith,	*ay*	*ay*
	Mr. Clingan,	*ay*	
Maryland,	Mr. Henry,	*ay*	1 *
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. M. Smith,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	
	Mr. Harnett,	*ay*	*ay*
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	
	Mr. Drayton,	*ay*	*ay*
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	1 *ay*

So it was reſolved in the affirmative.

Reſolved, That to-morrow at one o'clock Congreſs be reſolved into a committee of the whole, to conſider the propoſitions referred to them.

The chaplains having prepared a recommendation to the ſeveral ſtates for ſetting apart a day of thankſgiving, the ſame was read.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Robert Spencer, eſquire, for ſix thouſand three hundred and ſixty-ſix dollars, in diſcharge of a bill drawn by W. Palfrey, eſquire, paymaſter general, on the preſident of Congreſs, for that ſum, in favour of the ſaid R. Spencer, dated October 31ſt, 1778, expreſſed to be for the forces of the United States of America; the ſaid paymaſter general to be accountable.

Adjourned to ten o'clock to-morrow.

TUESDAY, *November* 17, 1778.

A letter and memorial from monſieur Bedaulx were read:

Ordered, That they be referred to the board of war.

A letter of the 1ſt from captain Seth Harding, at Norwich, was read:

Ordered, That it be referred to the marine committee.

A letter of the 2d from major general Schuyler, inclоſing a letter from Mr. James Deane, at Fort Schuyler, was read:

Ordered,

Ordered, That a copy of Mr. Deane's letter be ſent to general Waſhington, and that general Schuyler's letter, with the incloſed, be referred to the board of war.

Whereas Congreſs have received intelligence that renders it neceſſary to abridge the indulgence heretofore granted to J. Conolly:

Ordered, That he be confined to his room, and that no perſon be admitted to converſe with him till the further order of Congreſs.

A letter of October 30th from governor Greene, of Rhode-Iſland, was read.

A letter of September 9th from major Romand de Liſle, and one of September 5th from colonel Elbert, in Georgia, were read:

Ordered, That they be referred to the board of war.

A letter of September 9th from J. Clay, paymaſter in Georgia, with his account incloſed, was read:

Ordered, That the ſame be referred to the board of treaſury.

A report from the board of war was read; whereupon

Reſolved, That the troops raiſed in the ſtate of South-Carolina are and ought to be conſidered as being in the ſame ſituation, and ſubject to the ſame regulations, with the other forces of the United States, except in caſes where contrary ſtipulations were made at the time of their being received into the ſervice of the United States on the continental eſtabliſhment.

The committee to whom were referred the letter from Mr. Lowndes, preſident of South-Carolina, and the letters from major general Howe, brought in a report; whereupon

Reſolved, That the preſident of the ſtate of South-Carolina be informed, that the reſolution of Congreſs of September 16th, 1776, relative to appointments, extends only to the appointment of regimental officers, and not to officers on the general ſtaff.

Congreſs proceeded to the election of a deputy adjutant general and deputy quartermaſter general for the troops in the ſouthern department, and the ballots being taken,

Captain Edmund Hyrne was elected deputy adjutant general, and

Stephen

Stephen Drayton was elected deputy quartermaſter general, in the ſouthern department, they having been previouſly nominated by the delegates of South-Carolina.

Congreſs reſumed the conſideration of the recommendation to the ſtates for ſetting apart a day of thankſgiving, which being amended is as follows:

IT having pleaſed Almighty God, through the courſe of the preſent year, to beſtow many great and manifold mercies on the people of theſe United States; and it being the indiſpenſible duty of all men gratefully to acknowledge their obligations to him for benefits received;

Reſolved, That it be and hereby is recommended to the legiſlative or executive authority of each of the ſaid ſtates to appoint Wedneſday the 30th of December next to be obſerved as a day of public thankſgiving and praiſe; that all people may with united hearts, on that day, expreſs a juſt ſenſe of his unmerited favours; particularly in that it hath pleaſed him by his over-ruling providence to ſupport us in a juſt and neceſſary war, for the defence of our rights and liberties, by affording us ſeaſonable ſupplies for our armies; by diſpoſing the heart of a powerful monarch to enter into an alliance with us, and aid our cauſe, by defeating the councils and evil deſigns of our enemies, and giving us victory over their troops; and by the continuance of that union among theſe ſtates which, by his bleſſing, will be their future ſtrength and glory.

And it is further recommended, that, together with devout thankſgiving, may be joined a penitent confeſſion of our ſins, and humble ſupplication for pardon, through the merits of our Saviour; ſo that, under the ſmiles of Heaven, our public councils may be directed, our arms by land and ſea proſpered, our liberty and independence ſecured, our ſchools and ſeminaries of learning flouriſh, our trade be revived, our huſbandry and manufactures increaſed, and the hearts of all impreſſed with undiſſembled piety, with benevolence and zeal for the public good.

And it is alſo recommended, that recreations unſuitable to the purpoſe of ſuch a ſolemnity may be omitted on that day.

Done in Congreſs, this 17th day of November, 1778, and in the third year of the independence of the United States of America.

According

According to order Congreſs was reſolved into a committee of the whole, to conſider the four firſt propoſitions of the report of the committee on finance, and after ſome time the preſident reſumed the chair and Mr. F. L. Lee reported, that the committee have had under conſideration the propoſitions referred to them, and have made ſome progreſs, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That to-morrow at one o'clock Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions referred to them.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *November* 18, 1778.

Two letters from the honourable the miniſter plenipotentiary of France were read, requeſting a paſſage on board one of the continental frigates for the chevalier de Raymondis, captain of the Cæſar; and that a veſſel, on board of which are a number of invalids, may be taken under convoy of the frigates, until ſhe is ſafe at ſea:

Ordered, That they be referred to the marine committee, and that the committee be directed to comply with the requeſt therein contained.

A letter of the 14th from general Waſhington was read, incloſing one of the 10th from general ſir Henry Clinton, relative to an exchange of the convention troops:

Ordered, That it be referred to the board of war.

A letter of the 9th from governor Henry, of Virginia, was read.

A memorial from the marquis of Bretigny was read:

Ordered, That the ſame, together with the report of the committee on a former memorial from the marquis, be referred to a committee of five;

The members choſen Mr. Drayton, Mr. Williams, Mr. Ellery, Mr. M. Smith and Mr. Henry.

Ordered, That the memorial from the baron de Randerode Thulier, which was read and referred on the 21ſt of October laſt, be alſo referred to the foregoing committee.

An intercepted letter from Abraham Chilborn, of Haverford Weſt, directed to James Seagrove, merchant in Philadelphia, was laid before Congreſs:

Ordered, That it be tranſmitted to the executive council of Pennſylvania.

The

The credentials of the delegates from the ſtate of Maryland being laid before Congreſs were read, and are as follows:

"MARYLAND.

"In the Houſe of Delegates, November 13th, 1778.

"The gentlemen appointed to examine the ballot "boxes on the election for delegates to Congreſs, return- "ed from the conference-room and reported, that George "Plater, William Paca, William Carmichael, John "Henry, James Forbes, and Daniel of St. Thomas Jeni- "fer, eſquires, had a majority of votes; whereupon it "is declared in the houſe of delegates, that the honour- "able George Plater, William Paca, William Carmi- "chael, John Henry, James Forbes, and Daniel of St. "Thomas Jenifer, eſquires, are duly elected delegates "to Congreſs.

"True copy from the proceedings. By order,

"J. DUCKETT, C. H. D.

"A ſimilar copy from the proceedings of the ſenate "is ſigned, by order,

"R. RIDGELY, clerk of the ſenate."

A letter of the 7th and one of the 11th of Auguſt from the honourable A. Lee, eſquire, at Paris, directed to the committee of correſpondence at Congreſs, were read, together with ſundry papers incloſed and referred to therein:

Ordered, That they be lodged with the ſecretary, for the peruſal of the members.

An invoice of five bales of merchandize ſhipped on board the ſchooner Tabby, captain John Hoadges, Marblehead, and conſigned to the honourable E. Gerry, eſquire, for account of the honourable Arthur Lee, by Joſeph Gardoqui and Sons, was laid before Congreſs:

Ordered, That it be referred to the committee of commerce.

According to order Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under their further conſideration the propoſitions referred to them, but not having yet come to a concluſion deſire leave to ſit again:

Resolved, That to-morrow at one o'clock Congress be resolved into a committee of the whole, to consider further the propositions referred to them.

A letter of the 12th from monsieur du Plessis was read:

Ordered to lie on the table.

Adjourned to ten o'clock to-morrow.

THURSDAY, *November* 19, 1778.

Mr. Paca, Mr. Carmichael and Mr. Henry, three of the delegates of Maryland, attended and took their seats in Congress.

A letter of the 2d from major general Heath was read, inclosing one of the 1st from William de Passern, major of the regiment of Hesse Hanau, and one of October 31st from brigadier general James Hamilton, both directed to major general Heath.

A letter of the 12th from general Washington, and one of this day from Rawleigh Downman and George Hancock, of the Georgia troops, and a memorial from colonel Matthews, of the 9th Virginia regiment, respecting specie procured for his officers when prisoners, were read:

Ordered, That they be referred to the board of war.

A letter of the 13th from Mr. president Rodney, of the state of Delaware, was read.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of Thomas Baily, for fourteen hundred and eighty-five dollars, in payment of a draught of major general R. Howe, dated Charles-Town, South Carolina, August 24, 1778, in favour of and indorsed by captain Rawleigh Downman, for that sum; it being agreeable to a letter of advice of the same date from major general R. Howe, who is to be accountable:

That, upon the application of the marine committee, a warrant issue on the treasurer in their favour, for ten thousand dollars, for the use of the navy board in the middle district; the said marine committee to be accountable.

The committee on the treasury having, according to an order of Congress, considered a petition of William Dodd and others, dated November 9, 1778, report,

That the allowance made by Congress to the petitioners for their services, as expresses, agreeably to a report of

of the commiſſioners of claims, appearing to be fully ſufficient, the prayer of the petition for an augmentation of pay ought not to be granted:

Reſolved, That Congreſs agree to the ſaid report.

The ſaid committee having alſo conſidered a petition of lieutenant colonel Crenis brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of lieutenant colonel Crenis, for ſix hundred dollars, in full for his ſervices whilſt employed in the army of the United States.

In conſequence of an adjuſtment by the commiſſioners of claims, the auditor general reports,

That there is due to Benjamin Armitage, for ſuperintending the making of paper for loan-office certificates from September 22d to November 12th, 1778, two hundred and ſixty dollars:

That there is due to John Bates, for three fire-hoods for the treaſury and commiſſioners office, ſixty-two dollars:

That there is due to Michael Hay, for riding expreſs to Morris Town in March, 1777, twenty dollars:

Ordered, That the ſaid accounts be paid.

Mr. Duane, a delegate from New-York, attended and produced the credentials of the delegates of that ſtate, which were read as follows:

"State of NEW-YORK.

"In Aſſembly, Thurſday, October 15, 1778.

"A meſſage from the honourable the Senate, by Mr. "Park, and in the words following, to wit;

"State of New-York. In Senate, October 15, 1778.

"RESOLVED, That, if the honourable houſe "of aſſembly concur herein, the number of delegates "from this ſtate in general Congreſs be five: that three "of them at leaſt ſtatedly attend, and that any two of "the three attending be authoriſed to repreſent this "ſtate.

"Ordered, That Mr. Parks carry a copy of the fore-"going reſolution to the honourable houſe of aſſembly.

"A true copy from the minutes.

"ROBERT BENSON, clerk.

"Reſolved,

" Reſolved, That this houſe do concur with the honour-
" able ſenate in their reſolution of this day, on the ſubject
" of electing delegates to the general Congreſs.

" Ordered, That Mr. Vrooman and Mr. J. Clarke carry a
" copy of the above reſolution of this houſe to the ho-
" nourable ſenate.

" Friday, nine o'clock, A. M. October 16, 1778.

" Reſolved, That the honourable James Duane, Gover-
" neur Morris, Philip Schuyler, William Floyd, and
" Francis Lewis, eſquires, be and they are hereby de-
" clared duly nominated and appointed delegates to re-
" preſent this ſtate in the general Congreſs of the United
" States of America.

" By order of the houſe,

" WALTER LIVINGSTON, ſpeaker.

" A ſimilar reſolution from the ſenate was read.

" Signed by order of the ſenate,

" PIERRE VAN CORTLANDT, preſident."

The board of war, to whom was referred the letter from colonel Melcher, barrackmaſter, brought in a report, which being read,

Ordered, That the firſt part be re-committed.

The previous queſtion being moved on the ſecond, was carried in the affirmative, that the queſtion thereon be not now put.

A report from the board of war, on the letter of the 14th from general Waſhington, and the copy of ſir Henry Clinton's letter of the 10th, relative to an exchange of the convention troops, being read,

Reſolved, That general Waſhington be impowered and directed to appoint commiſſioners, and fix the time and place of their meeting, to confer with the commiſſioners appointed or to be appointed by ſir Henry Clinton, or other the commander in chief of the Britiſh forces in America, on behalf of his Britannic majeſty, on the exchange propoſed by ſir Henry Clinton in his letter to general Waſhington of the 10th inſtant, of the officers in the ſervice of theſe ſtates, now priſoners in the actual poſſeſſion of the enemy, or out on parole, for the officers and men of the troops of the convention, according to their ranks and numbers, officers of equal rank to be firſt exchanged: after which, if it ſhall be neceſſary, an equivalent of inferior for ſuperior officers, and, if agreeably to ſuch

equivalent

equivalent, all the officers of the army ſhall be exchanged, and a balance of officers remain in their hands, then an equivalent of privates to be given in exchange for ſuch officers, ſhall be ſettled according to the cuſtomary proportion, or ſuch proportion as may be agreed on. The commiſſioners ſo to be appointed, by virtue hereof, to make report of their proceedings to general Waſhington, who is hereby fully authoriſed and impowered finally to ratify the terms of the ſaid exchange on behalf of theſe United States.

Reſolved, That general Waſhington be directed to call for general Burgoyne and other officers of the convention troops now priſoners to theſe United States on parole, whenever the intereſt of the United States ſhall, in his opinion, render it neceſſary.

Mr. M'Kean laid before Congreſs in writing an information of perſonal abuſe he laſt night received from brigadier Thompſon on account of his conduct in Congreſs, and of abuſive, diſreſpectful and contemptuous expreſſions uttered by the ſaid brigadier Thompſon againſt Congreſs; whereupon

Ordered, That brigadier Thompſon attend at the bar of this houſe to-morrow morning at eleven o'clock, to anſwer the charge brought againſt him by the honourable Thomas M'Kean, eſquire, a member of this houſe; and that the ſaid brigadier general Thompſon be furniſhed with a copy of the charge againſt him.

A letter of the 11th from general Waſhington was read:

Ordered, That it be referred to the committee on the letters from the marquis de la Fayette.

A letter of the 10th from colonel R. H. Harriſon was read, expreſſing his obligations to Congreſs for the honor done him by appointing him a member of the board of war, and informing that the difficulties which operated againſt his accepting a ſeat in the board of war ſtill prevail in his mind, and compel him again to decline the appointment.

The committee on the treaſury brought in a report; whereupon

Reſolved, That the commiſſioners of the continental loan-offices of the United States be reſpectively directed to receive for loan-office certificates, ſuch bills of credit only as have been or may be emitted by Congreſs; any reſolution to the contrary notwithſtanding.

Adjourned to ten o'clock to-morrow.

FRIDAY,

FRIDAY, *November* 20, 1778.

Reſolved, That Mr. M. Smith be appointed a member of the marine committee, for the ſtate of Virginia.

A letter of the 5th from general Waſhington to major Waſhington, of colonel Moylan's dragoons, was laid before Congreſs and read; whereupon

Reſolved, That major Waſhington be promoted to the rank of lieutenant colonel, in the room of lieutenant colonel Bird, of colonel Baylor's dragoons, reſigned; and that he proceed to Briſtol and take the command of colonel Baylor's regiment.

A letter of this day from H. Beekman Livingſton, colonel of the 4th battalion of New-York forces, was read, requeſting leave to reſign his commiſſion:

Ordered, That it be referred to the board of war.

A letter of the 19th from S. Deane, eſquire, was read, incloſing a letter of July 22d to him from J. Williams, at Paſſy near Paris.

According to order brigadier general Thompſon attending was called in, and the information and charge exhibited againſt him being read and brigadier Thompſon being called upon to anſwer, denied the charge; whereupon he was ordered to withdraw, and accordingly withdrew.

Reſolved, That Congreſs meet on Monday next at 6 o'clock, P. M. to examine witneſſes reſpecting the charge againſt brigadier Thompſon:

That brigadier general Thompſon be directed to attend at that time with his witneſſes:

That the ſecretary iſſue a ſummons to William Auguſtas Atlee, eſquire, John Evans, eſquire, colonel Joſeph Deane, captain John Purviance, Mr. Thomas Bradford, and Paul Fooks, eſquire, reſpectively, to attend this houſe on Monday next at 6 o'clock, P. M. to give evidence in the caſe above mentioned.

A letter of the 7th and one of the 9th from major general Lincoln, at Williamſburgh, were read:

Ordered, That the letter of the 7th and the laſt paragraph of the letter of the 9th, be referred to the board of treaſury.

According to order Congreſs was reſolved into a committee of the whole, to conſider farther the propoſitions referred to them, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported,

That

That the committee have had under conſideration the propoſitions referred to them, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That to-morrow at one o'clock Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions referred to them.

A memorial from the honourable the miniſter plenipotentiary of France, was read, reſpecting the publication of the treaties of commerce and alliance.

Adjourned to ten o'clock to-morrow.

SATURDAY, *November* 21, 1778.

A letter of the 14th from colonel Hartley, at Fort Jenkins, on the north-eaſt branch of Suſquehannah, and one of the 16th from general Waſhington, incloſing a copy of a letter of the 13th from brigadier Hand, reſpecting an attack on colonel Alden's regiment in Cherry-Valley; alſo another of the 16th from general Waſhington, incloſing a memorial from brigadier du Portail, on a general ſyſtem of fortification for the United States; were read:

Ordered, That the laſt letter from general Waſhington be referred to the board of war, and that the memorial therein incloſed be referred to the marine committee.

Reſolved, That Mr. Roberdeau be appointed a member of the marine committee, for the ſtate of Pennſylvania.

According to order Congreſs was reſolved into a committee of the whole, to conſider farther the propoſitions referred to them, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther conſideration the propoſitions referred to them, and have made ſome progreſs, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That on Monday next at one o'clock Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions referred to them.

Adjourned to ten o'clock on Monday.

MONDAY, *November* 23, 1778.

A memorial from brigadier William Thompſon was read; whereupon a motion was made as follows;

A memorial

A memorial from brigadier William Thompſon having been read, and it appearing that the ſaid memorial contains approbrious language againſt and ſcandalous reflections upon the character of a member preſent in Congreſs; Reſolved, That the ſaid brigadier William Thompſon has, by offering the ſaid memorial, been guilty of an inſult to the honour and dignity of this houſe, and a breach of privilege:

On which the previous queſtion was moved,

And the yeas and nays being required by Mr. Ellery,

New-Hampſhire,	Mr. Whipple,	*no*	1 *
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*divided*
	Mr. Collins,	*no*	
Connecticut,	Mr. Sherman,	*no*	*divided*
	Mr. Ellſworth,	*ay*	
New-York,	Mr. Lewis,	*ay*	1 *
New-Jerſey,	Mr. Scudder,	*no*	1 *no*
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Clingan,	*no*	
Delaware,	Mr. M'Kean,	*no*	1 *no*
Maryland,	Mr. Paca,	*no*	*ay*
	Mr. Carmichael,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*no*	*
	Mr. M. Smith,	*no*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*no*	

So it paſſed in the negative.

The main queſtion was then put,

And the yeas and nays being required by Mr. Paca,

New-Hampſhire,	Mr. Whipple,	*ay*	1 *
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	

Rhode-Iſland

Rhode-Iſland,	Mr. Ellery,	*no*	*divided*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Sherman,	*ay*	*divided*
	Mr. Elliſworth,	*no*	
New-York,	Mr. Lewis,	*no*	*
New-Jerſey,	Mr. Scudder,	*ay*	*ay*
Pennſylvania,	Mr. Roberdeau,	*ay*	*a*
	Mr. Clingan,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Paca,	*ay*	
	Mr. Carmichael,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*ay*	*
	Mr. M. Smith,	*ay*	
North-Carolina,	Mr. Penn,	*no*	
	Mr. Harnett,	*no*	*no*
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Drayton,	*ay*	*ay*
	Mr. Hutſon,	*ay*	

So it was reſolved in the affirmative.

Six o'clock, P. M.

A report from the board of war was read; whereupon

Reſolved, That the ſum of ten thouſand dollars be advanced to lieutenant colonel Temple, of the firſt regiment of light dragoons, to diſcharge the arrears of pay due to the ſaid regiment, and to re-inliſt ſuch of the men whoſe times are about expiring:

That the men ſo re-inliſted in the ſaid regiment, on being furniſhed with the uſual ſtate bounty by the government of Virginia, ſhall be conſidered as a part of the quota of that ſtate.

Reſolved, That general Waſhington be impowered and directed to take ſuch meaſures, with reſpect to the officers of the convention of Saratoga, who are ſubjects of major general Heath's letter of the 2d inſtant, and of brigadier Hamilton's of October 31ſt, incloſed in general Waſhington's letter of the 12th inſtant, as to him ſhall ſeem proper.

Another report from the board of war was read; whereupon

Ordered, That the ſum of ninety-eight half Johannes be paid by the treaſurer to colonel George Matthews, of the 9th Virginia regiment; he to be accountable, it being monies advanced by him to the officers of the ſaid regiment when priſoners with the enemy:

That the commiſſary general of priſoners be informed hereof, and that he be directed to certify to the treaſury board the ſtate of the officers accounts, and deduct ſo much from the ſaid ſum as may appear to be due to them.

According to order brigadier William Thompſon and the witneſſes ſummoned, except Mr. Atlee, attending were called in and examined; after which brigadier Thompſon, being heard, withdrew:

Ordered, That the conſideration of this matter be poſtponed.

Adjourned to ten o'clock to-morrow.

TUESDAY, *November* 24, 1778.

A letter of the 13th from general Waſhington was read, relative to the inſpectorſhip under baron Steuben:

Ordered, That it be referred to the board of war.

A letter of the 23d from B. P. Smith, Thomas Ediſon and George Bond, clerks in the ſecretary's office; alſo one of the 16th from James Stevenſon, Samuel Downe and Moſes Emerſon, commiſſioners of accounts; were read:

Ordered, That they be referred to the board of treaſury.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of lieutenant colonel Benjamin Temple, for three hundred and ſeventy-ſeven dollars, to enable him to diſcharge the balances due on ſundry purchaſes, and for making up cloathing in purſuance of general Waſhington's orders of December 30th, 1777; the ſaid lieutenant colonel Temple to be accountable.

Mr. Vandyke, a delegate from the ſtate of Delaware, attended and took his ſeat in Congreſs.

Congreſs took into conſideration the report of the committee of arrangement; and thereupon came to the following reſolutions:

Whereas the ſettlement of rank in the army of the United States has been attended with much difficulty and delay

delay, in as much as no general principles have been adopted and uniformly purſued:

Reſolved therefore, That, upon any diſpute of rank, the following rules ſhall be hereafter obſerved:

1. For determining rank in the continental line, between all colonels and inferior officers of different ſtates, between like officers of infantry, and thoſe of horſe and artillery, appointed under the authority of Congreſs, by virtue of a reſolution of September 16th, 1776, or by virtue of any ſubſequent reſolution prior to January 1ſt, 1777, all ſuch officers ſhall be deemed to have their commiſſions dated on the day laſt mentioned, and their relative rank with reſpect to each other, in the continental line of the army, ſhall be determined by their rank prior to the 16th day of September, 1776: this rule ſhall not be conſidered to affect the rank of the line within any ſtate or within the corps of artillery, horſe, or among the ſixteen additional battalions, where the rank hath been ſettled; but ſhall be the rule to determine the relative rank within the particular line of the artillery, ſo far as the rank remains unſettled.

2. In the ſecond inſtance preference ſhall be given to commiſſions in the new levies and flying camp.

3. In determining rank between continental officers, in other reſpects equal, proper reſpect ſhall be had to their commiſſions in the militia, where they have ſerved in the continental army for the ſpace of one month.

4. All colonels and inferior officers appointed to vacancies ſince the 5th day of January, 1777, ſhall take rank from the right of ſucceſſion to ſuch vacancies.

5. In all caſes where the rank between two officers of different ſtates is equal, or between an officer of ſtate troops and one of cavalry, artillery, or of the additional battalions, the precedence is to be determined by lot.

6. All officers who have been priſoners with the enemy, being appointed by their ſtate, and again enter into the ſervice, ſhall do it agreeably to the following rule, that is to ſay; All of the rank of captains, and under, ſhall enter into the ſame regiment to which they formerly belonged; and if the regiment is diſſolved or otherwiſe reduced, they ſhall be entitled to the firſt vacancy in any regiment of the ſtate in their proper rank, after the officers belonging to ſuch regiment have been provided.

7. The

7. The rules of rank above laid down between officers of different ſtates, are to govern between officers of the ſame ſtate, except in caſes where the ſtate have laid down a different rule or already ſettled their rank.

8. A reſignation ſhall preclude any claim of benefit from former rank under a new appointment.

Whereas, from the alteration of the eſtabliſhment and other cauſes, many valuable officers have been and may be omitted in the new arrangement, as being ſupernumerary, who, from their conduct and ſervices, are entitled to the honourable notice of Congreſs, and to a ſuitable proviſion until they can return to civil life with advantage:

Reſolved therefore, That Congreſs gratefully acknowledge the faithful ſervices of ſuch officers, and that all ſupernumerary officers be entitled to one year's pay of their commiſſions reſpectively, to be computed from the time ſuch officers had leave of abſence from the commander in chief on this account. And Congreſs do earneſtly recommend to the ſeveral ſtates to which ſuch officers belong to make ſuch farther proviſion for them as their reſpective circumſtances and merits may entitle them to.

Reſolved, That all officers who have been in the ſervice, and, having been priſoners with the enemy, now are or hereafter may be exchanged or otherwiſe releaſed, ſhall, if appointed by the authority of the ſtate, be entitled, in caſe of vacancy, to enter into the ſervice of their reſpective ſtate in ſuch rank as they would have had if they had never been captured; provided always, that every ſuch officer do, within one month after his exchange or releaſe, ſignify to the authority of the ſtate to which he belongs his releaſe and his deſire to enter again into the military ſervice:

That every officer ſo releaſed, and giving notice as aforeſaid, ſhall, until entry into actual ſervice, be allowed half pay of the commiſſion to which by the foregoing reſolve he ſtands entitled; provided always, that, in caſe of his receiving any civil office of profit, ſuch half pay ſhall thenceforth ceaſe.

Whereas it will be for the benefit of the ſervice that ſome rule for promotion be eſtabliſhed: therefore

Reſolved, That it be recommended to the ſeveral ſtates to provide, that in all future promotions officers riſe regimentally to the rank of captain, and thence in the line of

of the ſtate to the rank of colonel; except in caſes where a preference may be given on account of diſtinguiſhed merit.

Reſolved, That no brevets be for the future granted, except to officers in the line or in caſe of very eminent ſervices.

Reſolved, That a brigadier, out of the brigadiers of the infantry, be appointed by general Waſhington to command the cavalry.

Reſolved, That paymaſters, not being of the rank of captains, quartermaſters and adjutants be entitled to receive twenty dollars per month ſubſiſtance money, in lieu of rations.

Reſolved, That all officers and perſons employed on the ſtaff ſhall receive, for ſubſiſtance money, one third of a dollar for each extra ration heretofore allowed them.

Reſolved, That lieutenant colonel Stevens, of the artillery, now holding that rank by brevet, be appointed a lieutenant colonel of artillery; and that his commiſſion bear date from that of his brevet; and that he be entitled to take command on the firſt vacancy that may fall in the artillery.

Reſolved, That adjutants, paymaſters and quartermaſters, taken from the line, be again admitted into the rank they would have been entitled to, had they continued in the line: and ſuch adjutants, paymaſters and quartermaſters, not taken from the line, may be admiſſable into the line, in ſuch ſubaltern ranks as, by a ſigned certificate from the field officers of their reſpective corps, they ſhall be deemed competent to.

Reſolved, That the regiment commanded by colonel Moſes Hazen be continued on its original eſtabliſhment; and that no new appointments or promotions of officers be made therein until the farther order of Congreſs.

Ordered, That the committee of arrangement tranſmit to the board of war liſts of the officers of the army, arranged by them in the ſeveral regiments and corps, ſpecifying the time of their reſpective appointments or promotions to their preſent rank, to be regiſtered in the war-office; and that commiſſions be iſſued to the ſaid officers accordingly: and the ſecretary of the board of war is hereby ordered to tranſmit copies of the ſaid arrangement to the commander in chief of the army.

Reſolved,

Resolved, That the board of war be authorised to finish the arrangement of the army, agreeably to the resolutions of Congress, and that the committee of arrangement furnish the board with such papers and documents as they are possessed of respecting the same; and that all disputes about rank in the army be referred to the commander in chief, to be determined according to the rules of the army.

Ordered, That the board of war forthwith lay before Congress a list of the continental brigadiers and battalions, together with the states to which they respectively belong.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *November* 25, 1778.

Mr. Roberdeau, Mr. Clingan and Mr. Searle, three delegates for Pennsylvania, attended and produced the credentials of the delegates of that state, which were read and are as follows:

"In General Assembly of Pennsylvania, Friday, No-
"vember 20, 1778.

"THE order of the day being called for and read, "the house proceeded by ballot to the election of dele- "gates in Congress for the ensuing year, when the fol- "lowing gentlemen were chosen, viz. Daniel Rober- "deau, William Clingan, Edward Biddle, John Arm- "strong, William Shippen the elder, Samuel Atlee, "and James Searle, esquire.

"Extract from the minutes,
"JOHN MORRIS,
"clerk of the general assembly."

Resolved, That Congress meet this afternoon at six o'clock.

Ordered, That William Augustus Atlee be summoned to attend Congress at that hour, to give evidence on the charge against brigadier William Thompson; and that brigadier William Thompson be notified to attend.

A letter of the 13th from Charles Frederick Bedaulx, and one of the 2d from major general Sullivan, were read.

A letter of the 18th from general Washington, with sundry papers inclosed relative to count Holkauski, and a letter

a letter of the 9th from major general baron de Kalb, reſpecting major Rogers, were read:

Ordered, That they be referred to the board of war.

A letter of the 22d from C. Rodney, preſident of the ſtate of Delaware, and one of October 23d from Thomas Chittendon, were read.

Mr. Witherſpoon, a delegate from the ſtate of New-Jerſey, attended and laid before Congreſs powers to the delegates of that ſtate to ratify the confederation, which were read, as follows;

" (L. S.) By his excellency William Livingſton, eſquire, " governor, captain general and commander in chief " in and over the ſtate of New-Jerſey and territories " thereunto belonging, chancellor and ordinary in " the ſame.

" TO ALL to whom theſe preſents ſhall come, greeting: know ye, that among the records in the ſecretary's " office, in the ſtate of New-Jerſey, there is a certain " inſtrument of writing purporting to be an act of the " council and general aſſembly of the ſaid ſtate, which " ſaid act is contained in the words and tenor here following, to wit:

" An act to authoriſe and impower the delegates of " the ſtate of New-Jerſey in Congreſs to ſubſcribe and " ratify the articles of confederation and perpetual " union between the ſeveral ſtates.

" Whereas articles of confederation and perpetual " union, between the ſtates of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland and Providence Plantations, Connecticut, New-York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, ſigned in the Congreſs of ſaid ſtates, by the honourable Henry Laurens, eſquire, their preſident, have been laid before the legiſlature of this ſtate, to be ratified by the ſame if approved: and whereas, notwithſtanding the terms of " the ſaid articles of confederation and perpetual union " are conſidered as in divers reſpects unequal and diſadvantageous to this ſtate, and the objections to ſeveral " of the ſaid articles lately ſtated and ſent to the general " Congreſs aforeſaid, on the part of this ſtate, are " ſtill viewed as juſt and reaſonable, and ſundry of them " as of the moſt eſſential moment to the welfare and

" happineſs

" happineſs of the good people thereof; yet, under the " full conviction of the preſent neceſſity of acceding to " the confederacy propoſed, and that every ſeparate " and detached ſtate intereſt ought to be poſtponed to " the general good of the union; and moreover, in " firm reliance that the candor and juſtice of the ſeveral " ſtates will, in due time, remove, as far as poſſible, " the inequality which now ſubſiſts:

" Sect. 1ſt. Be it enacted by the council and general " aſſembly of this ſtate, and it is hereby enacted by the " authority of the ſame, that the honourable John Wi- " therſpoon, Abraham Clarke, Nathaniel Scudder, and " Elias Boudinot, eſquires, delegates, repreſenting this " ſtate in the Congreſs of the United States, or any one " or more of them, be and they hereby are authoriſed, " impowered and directed, on behalf of this ſtate, to " ſubſcribe and ratify the ſaid articles of confederation " and perpetual union between the ſtates aforeſaid.

" Sect. 2d. And be it further enacted by the authori- " ty aforeſaid, That the ſaid articles of confederation and " perpetual union, ſo as aforeſaid ſubſcribed and ratifi- " ed, ſhall thenceforth become concluſive as to this ſtate, " and obligatory thereon.

" Council Chamber, November 19, 1778.

" This bill, having been three times read in council,

" Reſolved, That the ſame do paſs.

" By order of the houſe,

" W. LIVINGSTON, preſident.

" Houſe of Aſſembly, November 20th, 1778.

" This bill, having been three times read in the houſe " of aſſembly,

" Reſolved, That the ſame do paſs.

" By order of the houſe,

" CALEB CAMP, ſpeaker pro tem.

" All which, by the tenor of theſe preſents, I have " cauſed to be exemplified.

" In teſtimony whereof the great ſeal of the ſaid ſtate " of New-Jerſey is hereunto affixed, at Trenton, the " twentieth day of November, in the year of our Lord " one thouſand ſeven hundred and ſeventy-eight, and in " the third year of the independency of the United States " of America.

" WILLIAM LIVINGSTON.

" By his excellency's command,

" BOWES REED, ſecretary."

Congreſs

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther conſideration the propoſitions to them referred, and made ſome farther progreſs, but not having yet come to a concluſion deſire leave to ſit again:

Reſolved, That to-morrow at one o'clock Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions referred to them.

Six o'clock, P. M.

A letter of the 15th from admiral Gambier was read, relative to an officer of the king his maſter's ſhip, wrecked, as he ſays, in carrying a flag:

Ordered, That it be referred to the committee on the letter of October 30th from commiſſary Beatty.

Mr. Froſt, a delegate from New-Hampſhire, attended and produced a reſolution of the general aſſembly of that ſtate, as follows:

"State of NEW-HAMPSHIRE.

"In the Houſe of Repreſentatives, October 31ſt, 1778.

"Voted and reſolved, that any one of the delegates "from this ſtate to the honourable continental Congreſs "be and hereby is authoriſed and impowered to repre- "ſent this ſtate in ſaid Congreſs, at all times in the ab- "ſence of the other delegates from this ſtate, until the "articles of confederation of the United States ſhall be "ratified by all the ſtates.

"Sent up for concurrence,

"JOHN LANGDON, ſpeaker.

"In Council, the ſame day, read and concurred,

"E. THOMPSON, ſecretary.

"A true copy, examined by

"E. THOMPSON, ſecretary."

The honourable W. A. Atlee, one of the judges of the ſupreme court, being engaged on the bench in a trial in a capital caſe, could not attend agreeable to the ſummons: whereupon

Adjourned to ten o'clock to-morrow.

THURSDAY, *November* 26, 1778.

In purſuance of the powers to them granted the delegates of New-Jerſey ſigned the ratification of the articles of confederation and perpetual union.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair and Mr. F. L. Lee reported, that the committee have had under their farther conſideration the propoſitions referred to them, but not having come to a concluſion deſire leave to ſit again :

Reſolved, That to-morrow at one o'clock Congreſs be reſolved into a committee of the whole, to conſider further the propoſitions referred to them.

Adjourned to ten o'clock to-morrow.

FRIDAY, *November* 27, 1778.

A memorial from Abraham Whipple and others, commanders in the continental navy ; alſo a memorial from ſundry officers of marines, and a copy of a memorial from twenty-ſeven officers in the navy ; were read :

Ordered, That they be referred to the marine committee.

A letter from the honourable J. Adams, eſquire, was read, reſpecting the late lieutenant Baron's family :

Ordered, That it be referred to the marine committee.

A letter of the 21ſt from general Waſhington, with ſundry papers incloſed ; alſo one of the 26th from baron Steuben ; were read :

Ordered, That they be referred to the board of war.

A letter of the 28th from governor Livingſton, of New-Jerſey, and one of the 20th from colonel Hartley, at Sunbury, were read :

Ordered, That a copy of colonel Hartley's letter be ſent to general Waſhington.

A petition of captain John Lightbourn was read, ſetting forth the diſtreſſes of the inhabitants of Bermuda, and praying for liberty to carry thither bread, flour and Indian corn :

Reſolved, That the prayer of the petition be not granted.

A letter of the 20th from general Waſhington was read, with a paper incloſed reſpecting a regiment raiſed under the command of colonel Bedel : whereupon

Reſolved, That the regiment under colonel Bedel be diſbanded.

A memorial from Eleazer Wheelock was read :

Ordered, That it be referred to the board of treaſury.

A letter and memorial from Thomas Galbreath were read :

Ordered,

Ordered, That they be referred to the board of war.

The committee to whom was referred a motion respecting colonel Seth Warner's regiment, report,

"That it appears by a resolution of December 21st, 1776, that officers were to receive pay on the new establishment from the time of their being appointed by the states; and by a letter of the 10th instant, which they have received from Mr. Pakrey, paymaster general, and which accompanies this report, it appears that officers were paid accordingly; the committee therefore are of opinion, that officers appointed by Congress to raise regiments, to serve for three years or during the war, previous to the 7th day of October, 1776, ought to receive additional pay from that time, and that the motion to them referred is proper, being as follows:

Whereas it is represented that the officers of colonel Seth Warner's regiment, who engaged in the service for three years or during the war, previous to the 7th day of October, 1776, have not been allowed the additional pay made to the wages of officers by a resolution of Congress of that date, for the time between that day and the 1st day of January, 1777, the commanding officer of the northern department being then in doubt whether they were entitled to it by the said resolution:

Resolved, That if it shall be made to appear to the commanding officer in the northern department that the said officers, or others in like circumstances, have not received the said additional pay, he order the same to be paid.

Resolved, That Congress agree to the said report.

Resolved, That two members be added to the committee on the memorial of Mr. Penet;

The members chosen Mr. F. L. Lee and Mr. Searle.

According to order Congress was resolved into a committee of the whole, and after some time the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the propositions referred to them, and have made some further progress, but not having come to a conclusion desire leave to sit again:

Resolved, That to-morrow at one o'clock Congress be resolved into a committee of the whole, to consider further the propositions referred to them.

Adjourned to ten o'clock to-morrow.

SATURDAY,

SATURDAY, *November* 28, 1778.

A letter of this day from Mr. de Francey was read:

Ordered, That it be referred to a committee of three;

The members chosen Mr. M. Smith, Mr. Ellery and Mr. Drayton.

An appeal from the judgment of a court of admiralty for the state of Pennsylvania, on a libel "Thomas Houston versus sloop Active," was lodged with the secretary and referred to the committee on appeals.

A memorial from lieutenant Hele was read.

The committee to whom was referred the letter of the 15th from admiral Gambier, respecting an officer, commander of the Hotham, &c. reported the draught of a letter in answer thereto, which was taken into consideration and agreed to as follows:

"SIR,

Your letter of the 15th instant respecting the officers and crew of the Hotham sloop has been laid before Congress, and I am instructed to inform you, that as the manifestoes on board that vessel were of a seditious nature, and intended to open an unwarrantable correspondence, their being covered by a flag of truce is by no means an extenuation of the offence: that as no respect is due by the law of nations to a flag of truce when employed in illicit practices; so, when detected, all the rights of a flag are forfeited; nor does the accidental wreck of the vessel in question make any distinction in favour of those who navigated her: that the resolution of Congress, authorising the seizure of the flag, being subsequent to the fact complained of in that resolution, requires no justification; the fact must necessarily precede the complaint, and the measures for preventing the consequences of the fact: that addressing the manifesto in the first instance to Congress does not prove that it was not seditious, since it was at the same time addressed to the several assemblies of the United States, to the clergy, to the officers of the American army, and to the people at large; which incontestibly shews it to be seditious and unwarrantable: that, notwithstanding the implied threat, that had there been greater danger in it than there is, Congress would nevertheless have adhered to such measures as are justified by reason and conducive to the general good.

"I have the honour to be, &c."

Sundry

Sundry reports from the board of treaſury were laid before Congreſs; whereupon

Ordered, That a warran t iſſue on Thomas Smith, eſquire, commiſſioner of the continental loan-office in the ſtate of Pennſylvania, in favour of major general Thomas Mifflin, late quartermaſter general, for fifty thouſand dollars, for the uſe of his department; for which he is to be accountable:

On paſſing this order,

The yeas and nays being required by Mr. Laurens,

New-Hampſhire,	Mr. Whipple,	*no*	*no*
	Mr. Froſt,	*no*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*divided*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Sherman,	*no*	*divided*
	Mr. Ellſworth,	*ay*	
New-York,	Mr. Duane,	*ay*	*
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. Roberdeau,	*no*	*ay*
	Mr. Clingan,	*ay*	
	Mr. Searle,	*ay*	
Maryland,	Mr. Carmichael,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*
	Mr. M. Smith,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Hutſon,	*ay*	

So it paſſed in the affirmative.

Ordered, That a warrant iſſue on John Lawrence, eſquire, commiſſioner of the continental loan-office in the ſtate of Connecticut, for fifty thouſand dollars, in favour of Iſaac Forſter, eſquire, deputy director general in the eaſtern diſtrict, for the uſe of his department; for which he is to be accountable:

That another warrant iſſue on the treaſurer in favour of Iſaac Forſter, eſquire, deputy director general in the eaſtern

eaſtern diſtrict, for twenty-five thouſand dollars, to be paid to James Davidſon, for the uſe of the ſaid department; the ſaid deputy director general to be accountable:

That a warrant iſſue on Nathaniel Appleton, eſquire, commiſſioner of the continental loan-office in the ſtate of Maſſachuſetts-Bay, for three hundred dollars, in favour of David Moſely, it being advanced him on account of copperplate printing; for which he is to be accountable:

That a warrant iſſue on the treaſurer in favour of captain Iſaiah Johnſton, for five thouſand and eighty-four dollars, to anſwer two ſets of exchange, No. 36 for five hundred dollars, and No. 37 for four thouſand five hundred and eighty-four dollars, drawn by the late William Kennon, deceaſed, in favour of David Flowers, dated April 14th, 1777; and that the ſaid ſum of five thouſand and eighty-four dollars be charged to the account of the ſaid William Kennon, deceaſed:

That a warrant iſſue on the treaſurer in favour of Jonathan Dayton, eſquire, for ten thouſand dollars, in diſcharge of a bill drawn by William Palfrey, eſquire, paymaſter general, for that ſum, in favour of the ſaid Jonathan Dayton, dated October 18th, 1778, expreſſed to be for the uſe of the forces of the United States of America; the ſaid paymaſter general to be accountable:

That a warrant iſſue on the treaſurer in favour of John Bailey, for one thouſand dollars, in payment of a draught of major general R. Howe, dated Charles-Town, South-Carolina, Auguſt 24th, 1778, in favour of captain Rawleigh Downman, and indorſed by him for that ſum, it being agreeable to a letter of advice of the ſame date from major general R. Howe, who is to be accountable:

That a warrant iſſue on the treaſurer in favour of colonel John Cox, aſſiſtant quartermaſter general, for three million five hundred thouſand dollars, for the uſe of the department of major general Greene, quartermaſter general, who is to be accountable:

That a warrant iſſue on the treaſurer in favour of major general Lee, for one thouſand dollars, advanced him; he to be accountable:

That a warrant iſſue on the treaſurer in favour of captain Richard Call, for nine hundred dollars, for the uſe of colonel Benjamin Temple, to enable him to pay ſundry

dry balances due from the firſt battalion of light dragoons, in conſequence of the orders of general Waſhington of the 30th of December laſt; the ſaid colonel Temple to be accountable:

That there be advanced to colonel Benjamin Flower, commiſſary general of military ſtores, one hundred thouſand dollars, for the uſe of his department; for which he is to be accountable.

Reſolved, That ſo much of the report as relates to a warrant on Thomas Smith, in favour of J. Cox, and an advance to Iſaac Melcher, be poſtponed.

Reſolved, That the ſeveral managers of the United States lottery be allowed, for their ſervices whilſt acting in that department, four dollars a day previous to the 5th of February laſt; five dollars a day from that to the preſent time; and that their allowance for future ſervices be determined at the cloſe of the drawing of the ſecond claſs.

The committee on the treaſury, to whom was referred a part of the memorial of Robert Yauncey, cornet, of the firſt regiment of light dragoons, relating to three hundred and ſeventy-ſix dollars loſt on the ſudden retreat of the troops from Bound-Brook, the 13th of April, and which was part of a ſum put into his hands for the purpoſe of paying ſuch regiment, brought in a report; whereupon

Reſolved, That the ſaid ſum of three hundred and ſeventy-ſix dollars be allowed to Robert Yauncey, on the ſettlement of his account.

The committee to whom was referred the petition of George Rice, reſpecting a ſum of public money loſt at the battle of Brandywine, report, that they have taken the ſame into conſideration, and having examined witneſſes, they find that the material facts therein ſet forth are true, and therefore are of opinion,

That a warrant iſſue on the treaſurer in favour of the ſaid captain George Rice, for five hundred and ſixty-five dollars, in full for his loſs aforeſaid:

Reſolved, That Congreſs agree to the ſaid report.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to the following perſons, for ſuperintending the money preſs, &c. as follows:

To

To John Biddle, from July 30th, to November 5th, 1778, - - - - - - 594 dollars.
To Iſaac Snowden, for the ſame time, 594 do.
To Peter Thomſon, for the ſame time, 594 do.
To Nathaniel Falconer, from September 14th, to November 5th, 1778, - - 318 do.
To Iſaac Howell, from October 13th, to November 5th, 1778, - - - - - 144 do.
To Iſaac Harriſon Freenock and Company, for ſundry articles ſupplied for the uſe of the printers, &c. 204 dollars and 30-90ths,
Making in the whole, - - - 2448 dollars and 30-90ths; for which a warrant ſhould iſſue in favour of John Biddle:

Ordered, That the ſaid accounts be paid.

A memorial from the magiſtrates and the overſeers of the poor of the city of Philadelphia was read, praying for a compenſation for the uſe of the houſe of employment, occupied for a continental hoſpital:

Ordered to lie on the table.

A letter from Joſeph March, of New-Hampſhire, with a printed paper incloſed, was read:

Ordered to lie on the table.

The committee to whom was referred major general Heath's letter of July 8th, with ſundry papers relative to enſign Brown, brought in a report:

Ordered, That the conſideration thereof be poſtponed to Tueſday next.

A letter of this day from Jonathan F. Morris, lieutenant in colonel Procter's regiment, was read, requeſting leave to reſign his commiſſion:

Reſolved, That he have leave, and that his reſignation be accepted.

Adjourned to ten o'clock on Monday.

MONDAY, *November* 30, 1778.

On motion,

Reſolved, That Congreſs meet on Wedneſday evening at ſix o'clock, to conſider the proceedings of the courts-martial on the trials of major general Lee, major general Schuyler, and major general St. Clair.

A letter of the 23d from general Waſhington was read, incloſing a letter and memorial from major Whitcombe, together

together with ſundry other papers relative to the attack on Cherry Valley:

Ordered, That the memorial and letter from major Whitcombe be referred to the board of war.

Two affidavits, relative to the convention troops, were laid before Congreſs:

Ordered, That they be referred to a committee of three;

The members choſen Mr. Duane, Mr. Carmichael and Mr. G. Morris.

A letter of the 24th from the board of war was read, deſiring an advance of fifty thouſand dollars:

Ordered, That it be referred to the board of treaſury.

The board of war, to whom was referred the letter from R. Downman and G. Hancock, brought in a report; whereupon

Ordered, That the ſaid letter be referred to the board of treaſury.

A report from the board of war was read, reſpecting the quartering officers of the convention troops:

Ordered, That it be re-committed, and that the board be impowered and directed to give ſuch orders in the premiſes as they in their judgment ſhall think moſt for the public intereſt and ſafety.

A letter of the 26th from the ſecretary of the board of war was read, incloſing a liſt of the brigadiers and the regiments compoſing the ſeveral brigades:

Ordered, That it be re-committed.

A letter of October 20th from the board of war was read, incloſing a letter of the 11th of the ſame month from general Waſhington, and a letter of October 8th from Samuel Nicholas, relative to the neceſſity of making proviſion for the cloathing the officers:

Ordered, That the letters incloſed be referred to the committee on the cloathier's department.

Reſolved, That Mr. Searle be added to the ſaid committee.

The board of war having tranſmitted to Congreſs a copy of the agreement entered into with them by George Rice, for a tract of land, and erecting barracks for the convention troops in Virginia, together with a plan of the ſaid barracks;

Ordered, That a copy of the agreement and plan be lodged with the board of treaſury.

A report from the board of war, on the letter of October 26th from major general Sullivan, was read; whereupon

Resolved, That in all cases where forage is wanted for the troops, and cannot be purchased by the commissaries at reasonable rates, application be made to the executive and legislative authority of the state wherein the forage is required, or to some person or persons properly authorised by them for that purpose, for their interposition and assistance in procuring the necessary supplies:

That it be recommended to the governments of the states, wherein the army or any detachment or part thereof now is or hereafter shall be, to take such measures, in aid of the forage-masters, who shall first use every endeavour to purchase the same, for the procuring sufficient quantities of forage, at reasonable rates, as shall, in their opinion, be effectual, and most likely to procure a speedy supply.

A report from the board of war was read, on a letter of October 30th from major general Schuyler, on the subject of cloathing in the store at Fort Schuyler, directed to be sold to the friendly nations of Indians in the vicinity thereof: whereupon

Resolved, That the cloathing now in store at Fort Schuyler, purchased for account of the United States, be either sold for such reasonable prices as shall be deemed satisfactory to the Indians, or distributed gratis among such of them as are and have been faithful and steady in their attachment to these states, in such proportion and in such manner as shall be thought proper by the commissioners of Indian affairs in the northern department:

That the commissioners be directed to inform the Oneidas, our friends and allies, that Congress, ever mindful of their necessities, have ordered from France, a considerable time ago, and are in expectation of the speedy arrival of, a large assortment of Indian goods, suitable for and adequate to the supply of their wants; and that due notice will be given of the arrival of these goods, and proper places appointed for the disposal of them on reasonable terms to our brethren of the friendly nations:

That, in the mean time, it is expected that they will continue to bear, with us, with their accustomed fortitude and

and patience, the evils of this unjuſt war on the part of Britain, as they will enjoy with us all the benefits of that peace and ſecurity which will ſpeedily be the reſult of our virtuous and ſucceſsful endeavours.

A report from the board of war, on ſundry letters and papers from brigadier Mackintoſh, was read:

Ordered, That the ſame be re-committed.

A letter of October 7th from colonel G. Morgan was read, relative to damaged proviſions in the magazine at Fort Pitt:

Ordered to lie on the table.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under conſideration the propoſitions referred to them, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That to-morrow at one o'clock Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions referred to them.

Adjourned to ten o'clock to-morrow.

TUESDAY, *December* 1, 1778.

Mr. Scudder, a delegate from New-Jerſey, produced a letter dated November 6th, directed to him from John Hart, chairman of a meeting of the council and general aſſembly of the ſtate of New-Jerſey, held for the election of delegates, informing him, that he the ſaid Nathaniel Scudder, together with the honourable doctor John Witherſpoon, John Fell, John Nelſon, and Frederick Frelinhuyſen, eſquires, were on that day elected delegates to repreſent that ſtate in Congreſs.

A letter of November 11th from Eliſha Sheldon, colonel, Samuel Blackden, lieutenant colonel, Benjamin Talmad, major, and Joſiah Stoddard, captain, of the 2d regiment of light dragoons, was read, repreſenting that lieutenant John Simonet de Valcour has ſerved with reputation in the 2d regiment of cavalry ſince its firſt eſtabliſhment: that the rupture between France and England beginning to grow ſerious and intereſting, lieutenant Simonet is deſirous of rejoining the army of his Moſt Chriſtian Majeſty, and therefore requeſting that

Congreſs

Congreſs would promote lieutenant Simonet to a captaincy in the cavalry, on condition of his leaving his preſent ſervice, as an honorary compenſation of his attachment and fidelity, with a ſaving to all his preſent ſenior officers their ſuperiority of rank and command: whereupon

Reſolved, That lieutenant John Simonet de Valcour be promoted to the rank of captain by brevet, on the condition and with the ſaving in the above letter.

A letter of November 25th from brigadier count Pulaſki was read, incloſing the commiſſion of count Julius de Montfort, major in brigadier count Pulaſki's corps of horſe and foot, called the legion, and informing that he has given him leave to quit the legion:

Reſolved, That the commiſſion of count Montfort be accepted.

A letter of November 25th from governor Livingſton, reſpecting cloathing for the New-Jerſey troops, and one of the 29th of the ſame month from G. Morgan, agent for Indian affairs, reſpecting lands purchaſed of the Indians on the weſt ſide of the Ohio, were read:

Ordered, That they be referred to the board of war.

A letter of November 28th from baron Steuben was read:

Ordered, That it be referred to the board of war, who are directed to pay an immediate and particular attention to the matter referred to in the letter, that the ſame may be carried into effect without delay.

A letter of November 29th from lieutenant colonel Fleury was read:

Ordered, That a copy of the ſaid letter be ſent to general Waſhington, and that he be deſired to expreſs his ſentiments thereon.

A letter of November 28th from colonel G. Morgan was read; whereupon

Congreſs took into conſideration a report from the board of war of the 14th of Auguſt laſt, wherein the board ſets forth,

That colonel George Morgan, purchaſing commiſſary for the weſtern department, has repreſented to the board the neceſſity of preparing immediately for the laying up ſuch magazines of proviſions as ſhall be ſufficient for the troops maintained for the defence of the weſtern frontiers: that for the ſupply of one thouſand three hundred men for ten months ſix hundred and ſeventeen thouſand

five

five hundred lb. of flour, a like quantity of freſh beef, or four hundred and ninety-four thouſand lb. of pork, will be neceſſary; the coſt of which, with one thouſand five hundred gallons of whiſkey, will amount to two hundred and four thouſand dollars: that on account of the hoſtile Indians to the weſtward and the northern tribes, particularly the Senecas, the number of men above ſtated will be neceſſary, including a hundred and fifty for garriſoning Fort Randolph: whereupon

Reſolved, That colonel George Morgan, commiſſary of proviſions for the weſtern diſtrict, be furniſhed with two hundred and four thouſand dollars, to enable him to form magazines of proviſions for the uſe of that department the year enſuing.

A letter of November 30th from S. Deane, eſquire, was read; whereupon

Reſolved, That after to-morrow Congreſs will meet two hours at leaſt each evening, beginning at ſix o'clock, Saturday evening excepted, until the preſent ſtate of our foreign affairs ſhall be fully conſidered.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under conſideration the propoſitions referred to them, but not having yet come to a concluſion deſire leave to ſit again:

Reſolved, That to-morrow at one o'clock Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions referred to them.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *December* 2, 1778.

A letter of November 28th from J. Baynton, paymaſter to the troops on the weſtern frontiers, was read:

Ordered, That it be referred to the board of treaſury.

A letter of October 27th and one of November 6th from M. Weare, preſident of the council of New-Hampſhire, were read, the latter incloſing the depoſitions of Samuel Davis and Ephraim Whitney, reſpecting a quantity of continental money ſaid to be burned; alſo a memorial of John Hagerman and Matthew Hollenbach, reſpecting ſums of continental money ſaid to be loſt and burned; were read:

Ordered,

Ordered, That the letter from Mr. preſident Weare, with the depoſitions incloſed, and the memorial of John Hagerman and Mr. Hollenbach, be referred to the board of treaſury, and that the board report ſpecially thereon.

A letter of this day from brigadier du Portail was read:

Ordered, That it be referred to the board of war.

A letter of November 26th from general Waſhington, reſpecting Mr. John Dodge, was read:

Ordered, That it be referred to the board of war.

A notification from the honourable the miniſter plenipotentiary of France, reſpecting the authentication of papers, was read.

A letter of July 16th from the honourable A. Lee, to the committee of foreign affairs, was laid before Congreſs and read.

A memorial from baron Thulier was read; whereupon

Congreſs took into conſideration a report of the committee on the memorial of marquis de Britigny and baron Thulier, and after debate,

Ordered, That it be re-committed.

Ordered, That the letter of the 25th from count Pulaſki be referred to the board of war.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under their farther conſideration the propoſitions referred to them, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That to-morrow at one o'clock Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions referred to them.

Congreſs took into conſideration a report from the marine committee reſpecting captain Barry, and after debate,

Ordered, That it be re-committed.

Congreſs took into conſideration the report of the committee on the letter from major general Heath, and the papers incloſed relative to enſign John Brown, and after debate,

Ordered, That the farther conſideration thereof be poſtponed.

Six

Six o'clock, P. M.

Congreſs took into conſideration the proceedings of the court-martial on the trial of major general Lee, and a motion was made

That the ſentence of the general court-martial upon major general Lee be carried into execution:

On a queſtion to poſtpone the conſideration of that motion,

The yeas and nays being required by Mr. Drayton,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Collins,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*no*	*no*
	Mr. Ellſworth,	*no*	
New-York,	Mr. Duane,	*no*	*no*
	Mr. G. Morris,	*ay*	
	Mr. Lewis,	*no*	
New-Jerſey,	Mr. Scudder,	*no*	*no*
Pennſylvania,	Mr. Clingan,	*no*	*divided*
	Mr. Searle,	*ay*	
Maryland,	Mr. Paca,	*ay*	*ay*
	Mr. Carmichael,	*ay*	
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Harnett,	*ay*	
	Mr. Williams,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
	Mr. Drayton,	*no*	
	Mr. Hutſon,	*ay*	

So it paſſed in the negative.

After further debate,

Adjourned to ten o'clock to-morrow.

THURSDAY, *December* 3, 1778.

A letter of November 19th from major general Heath, incloſing a liſt of the convention troops, was read:

Ordered, That the ſame be referred to the board of war.

A letter of November 27th from general Waſhington was read.

A letter of November 20th and a memorial from brigadier la Neuville were read.

A letter

A letter of November 23d from general Washington, incloſing a letter to him from J. Bowdoin, at Boſton; one of November 29th from governor Livingſton, of New-Jerſey; one of November 3d from the council of Maſſachuſetts-Bay; and one of November 16th from governor Trumbull, of Connecticut; all brought by and reſpecting John Temple; were read.

The board of war, to whom was re committed the returns of the brigadiers and regiments compoſing the brigades in the ſervice of the United States, ſent in another return, amended and explained.

Six o'clock, P. M.

Congreſs took into conſideration the proceedings of the general court-martial, on the trial of major general Schuyler; whereupon

Reſolved, That the ſentence of the general court-martial, acquitting major general Schuyler, with the higheſt honour, of the charges exhibited againſt him, be and hereby is confirmed.

Ordered, That the proceedings of the ſaid court-martial be publiſhed.

Ordered, That the above reſolution be tranſmitted to the commander in chief.

Ordered, That the conſideration of the proceedings of the general court-martial on the trial of major general St. Clair be poſtponed.

Ordered, That the letter of the 15th from admiral Gambier, with the anſwer thereto, be publiſhed.

Adjourned to ten o'clock to-morrow.

FRIDAY, *December* 4, 1778.

A letter of the 23d from major Aug. des Epiniers was read, requeſting leave of abſence for a few months, on account of private buſineſs, which requires his return to France; whereupon

Reſolved, That major Aug. des Epiniers have leave of abſence for ſix months.

Congreſs reſumed the conſideration of the letter from brigadier de la Neuville; whereupon

Ordered, That a certificate be given by the preſident to monſieur de la Neuville in the words following:

Mr. de la Neuville having ſerved with fidelity and reputation in the army of the United States, in teſtimony of

of his merit a brevet commiſſion of brigadier has been granted to him by Congreſs, and, on his requeſt, he is permitted to leave the ſervice of theſe ſtates and to return to France.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under their further conſideration the propoſitions referred to them, and made ſome progreſs, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That to morrow at one o'clock Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions referred to them.

Reſolved, That lieutenant Henry P. Livingſton be promoted to the rank of captain in the corps of general Waſhington's guards, in the room of captain Gibbes, lately promoted to the rank of major.

Six o'clock, P. M.

Congreſs reſumed the conſideration of the proceedings of the general court-martial on the trial of major general Lee, and the motion made thereon: when the queſtion was about to be put, the determination thereof was put off by the ſtate of Georgia till to-morrow.

Adjourned to ten o'clock to-morrow.

SATURDAY, *December* 5, 1778.

A letter of this day from J. Conolly was laid before Congreſs:

Ordered, That it be referred to the board of war.

A letter of the 3d from captain Coſmo Medici was read:

Ordered, That it be referred to the commiſſioners of claims at the board of treaſury.

A letter of November 23d from brigadier count Pulaſki was read, together with a memorial from ſundry inhabitants of the Miniſinks, reſpecting the difficulty of procuring forage for the horſes of the legion:

Ordered, That the ſame be referred to the board of war.

A letter of the 1ſt from major general lord Stirling was read.

A letter of the 23d from governor Henry, of Virginia, was read:

Ordered, That it be referred to the marine committee.

A letter of November 13th from the council of Maſſachuſetts-Bay, was read, reſpecting the eaſtern Indians:

Reſolved, That the preſident write to the council of Maſſachuſetts-Bay, and inform them that it is the deſire of Congreſs that they comply with the requeſt of the Indians in ſending them a prieſt.

Mr. Fell, a delegate from New Jerſey, attended and produced the credentials of the delegates of that ſtate, which were read as follows:

"NEW-JERSEY, November, 1778.

"The council and aſſembly met at Trenton, and in "joint meeting proceeded to the election of five dele- "gates to repreſent this ſtate in Congreſs, and the votes "being taken, the honourable John Witherſpoon, Na- "thaniel Scudder, Frederick Frelinghuyſen, John Fell, "and John Neilſon, eſquires, were duly elected:

"Reſolved therefore, That the ſaid John Witherſpoon, "Nathaniel Scudder, Frederick Frelinghuyſen, John "Fell and John Neilſon, eſquires, or any two or more of "them, be impowered to repreſent and vote in behalf "of this ſtate in the Congreſs of the United States of "North-America, from the firſt day of December next "until the firſt day of December in the year of our lord "one thouſand ſeven hundred and ſeventy-nine, unleſs "a new appointment ſhall ſooner take place. It is ne- "verthelefs expected, that three of the delegates do "conſtantly attend in Congreſs unleſs prevented by ſick- "neſs or other accident.

"The above is a true copy from the minutes of the "joint meeting.

BOWES REED, ſecretary."

A letter of November 29th from the marquis de la Fayette was read:

Oraered, That it be referred to a committee of three;

The members choſen Mr. Drayton, Mr. G. Morris and Mr. Lovell.

The preſident, at the requeſt of the miniſter of France, laid before Congreſs an addreſs of count d'Eſtaing to the inhabitants of Canada, which was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Drayton, Mr. G. Morris and Mr. Lovell.

A letter

A letter of this day from lieutenant John Carter was read, informing that he conſiders other officers much injured by his ſingular promotion, and that under thoſe circumſtances he imagines that he cannot continue in the ſervice conſiſtent with principles of honour, and therefore deſiring leave to reſign his commiſſion:

Reſolved, That he have leave to reſign, and that his reſignation be accepted.

The committee to whom was referred the letter of November 11th, from general Waſhington, brought in a report, which was read and agreed to.

A letter of the 4th from S. Deane, eſquire, was read:

Ordered, That Monday evening be aſſigned for hearing Mr. Deane, and that he be notified to attend.

A letter of Auguſt 21ſt from the honourable J. Adams, at Paſſy, was read.

A letter of the 3d from governor Livingſton, of New-Jerſey, was read, covering a letter from the Dutch Synod of New-York and New-Jerſey, to the Claſſis of Amſterdam, which the ſaid Synod deſire leave to forward:

Ordered, That the letter from the Synod of New-York and New-Jerſey be forwarded by the committee of foreign affairs.

The committee to whom was referred the memorial of the regimental ſurgeons and aſſiſtants brought in a report, which was read, and after debate

Ordered, That it be referred to the medical committee, who are directed to take into conſideration the caſe of the hoſpital as well as regimental ſurgeons, and report thereon.

A report from the board of war was read; whereupon

Reſolved, That the plan for raiſing the corps to be called the German Volunteers be for the preſent laid aſide:

That captains Fuhrer and Kleinſmit be informed that it is inexpedient to employ them at this time, agreeably to the intention of Congreſs, expreſſed in their former reſolution on this ſubject: that they ſettle their accounts with the auditors at Philadelphia, and be allowed a month's pay and ſubſiſtance each beyond what is now due to them, in conſideration of any extraordinary expence they may have incurred in equipping themſelves as intended officers of the corps of German Volunteers.

The board of war being applied to by captain Medici, of the North-Carolina dragoons, for directions for his future

ture government, beg leave to ſtate the caſe of the ſaid troops;

That, from an impracticability to provide for them, they have been hitherto unemployed in the field, except about forty who were lately compleatly fitted and ſent to brigadier M'Intoſh under captain Aſhe, in expectation that the men whoſe times of ſervice were near expiring would agree to ſtay two months beyond their time; but on or ſoon after their arrival at Fort-Pitt, their times being expired, all but fourteen quitted the ſervice and went home: that captain Medici having been ſent about eighteen months ago to Carolina, to purchaſe horſes, ſent on a few in June laſt: that being directed to come to Philadelphia, and ſettle his accounts, he is arrived, and informs, that by order of colonel Bland he recruited thirty men for the term of three years or during the war, and gave them orders to meet him at Halifax the beginning of this month: that he has eleven men at Philadelphia: that the whole of the ſaid men are unprovided with cloathing and accoutrements, except ſome may have been provided at Halifax by order of captain Medici, and have but few horſes:

That, from their not being annexed to any corps, they cannot, in the opinion of the board, be of much utility to the ſtates, unleſs they can be employed to the ſouthward under major general Lincoln, and then much expence will accrue in fitting them for the field: whereupon

Reſolved, That as the United States have no farther occaſion for the ſervice of the troops of light dragoons raiſed by and, when taken in continental pay, in the particular ſervice of the ſtate of North-Carolina, the ſaid troops be paid up to the firſt day of January, and that after that day they be no longer conſidered in the pay of the continent; and that they be returned to the government of the ſaid ſtate, to be retained in the pay thereof or diſcharged as they ſhall deem proper.

Ordered, That the board of war ſettle and pay the accounts of the ſaid dragoons.

Ordered, That the board of war ſupply the ſaid troops with ſuch cloathing as may be due to them.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. F. L. Lee reported, that the committee have had under conſideration the propoſitions referred to them, but not having come to a concluſion deſire leave to ſit again:

Reſolved,

Resolved, That on Monday, at one o'clock, Congress be resolved into a committee of the whole, to consider farther the propositions referred to them.

The determination of the motion, which was yesterday postponed by a state, was called for; and on the question,

The yeas and nays being required by Mr. Drayton,

New-Hampshire,	Mr. Whipple,	*no*	*divided*
	Mr. Frost,	*ay*	
Massachusetts-Bay,	Mr. S. Adams,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Holten,	*ay*	
Rhode-Island,	Mr. Collins,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Ellsworth,	*ay*	
New-Jersey,	Mr. Scudder,	*ay*	*
	Mr. Fell,	*excused*	
Pennsylvania,	Mr. Searle,	*ay*	*ay*
Maryland,	Mr. Carmichael,	*no*	*divided*
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*
	Mr. M. Smith,	*no*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Harnett,	*no*	
	Mr. Williams,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it was resolved,

That the sentence of the general court-martial upon major general Lee, be carried into execution.

Ordered, That the resolutions of Congress on the proceedings of the general courts-martial on the trials of major general Schuyler and major general Lee be published.

A letter from J. Reed, president of Pennsylvania, was read:

Ordered, That it be referred to the board of war, and that the board take order on such part thereof as relates to the guards of the convention troops, and report on the remainder.

Adjourned to ten o'clock on Monday.

MONDAY

MONDAY, *December* 7, 1778.

Mr. Jay, a delegate for the ſtate of New-York, attended and produced the credentials of his appointment, which were read, as follows:

"The people of the ſtate of NEW-YORK, by the "grace of God free and independent, to all to whom "theſe preſents ſhall come, ſend greeting.

"WHEREAS our ſenate and aſſembly of our ſaid "ſtate did, by their concurrent reſolutions of the 21ſt "day of October laſt, declare that a ſpecial occaſion did "then exiſt in which the chancellor and judges of the ſu-"preme court might be elected delegates to the general "Congreſs, and that of the chancellor and judges one "ſhould be elected a delegate on ſuch ſpecial occaſion; "and alſo by concurrent reſolutions of the fourth day of "this inſtant month of November did reſolve to proceed "ſeverally to nominate in the mode preſcribed in and "by the thirtieth article of the conſtitution of this ſtate, "of the chancellor and judges of the ſupreme court one "as a delegate to repreſent this our ſtate in the Congreſs "of the United States of America, on ſuch ſpecial occa-"ſion, to continue in office until the firſt day of March "next, and did thereupon proceed to the ſaid nomina-"tion, and did nominate and appoint, in the mode pre-"ſcribed by the ſaid article, John Jay, eſquire, our chief "juſtice of our ſupreme court of judicature, a delegate "to repreſent this our ſtate in the Congreſs of the Uni-"ted States of America, on the preſent ſpecial occaſion: "now therefore know ye, that, in purſuance of ſuch no-"mination and appointment, We do, by theſe preſents, "commiſſionate the ſaid John Jay, eſquire, a delegate "to repreſent this our ſtate in the Congreſs of the United "States of America, on the preſent ſpecial occaſion; "and do hereby authoriſe him to hold and exerciſe all "the powers and authorities to the office or place of de-"legate belonging, by virtue of the ſaid conſtitution and "the nomination and appointment aforeſaid; to have "and to hold the ſaid office or place of delegate upon "the preſent ſpecial occaſion, unto the ſaid John Jay, "eſquire, for and during and until the firſt day of March "next, and no longer. In teſtimony whereof we have "cauſed theſe our letters to be made patent, and the "great ſeal of this our ſtate to be hereunto affixed. "Witneſs our truſty and well beloved George Clinton,

"eſquire,

" esquire, our governor of our said state of New-York,
" general and commander in chief of all our militia, and
" admiral of the navy of the same, this tenth day of No-
" vember, in the third year of our independence, and in
" the year of our lord one thousand seven hundred and
" seventy-eight.

" Signed,

" GEORGE CLINTON,

" With the great seal appendant, and endorsed.

" Passed the secretary's office, by the special command in
" writing of his excellency the governor, this 15th of
" November, 1778.

" JOHN MORIN SCOTT,

" Secretary of the state."

The president informed Congress that on Saturday last he received two letters from the honourable R. Izard: that, like the former, these letters contain matters of public and private nature; but as the house have determined not to receive extracts of letters he submitted them entire, being persuaded that it is Mr. Izard's desire that all public matters should be communicated to them:

Ordered, That the letters be received.

The letters were accordingly received and read, viz. one of July 25th, and the other September 12th, 1778, both dated at Paris, and inclosing, No. 1. copy of a letter from the abbe Nicoli to Mr. Izard, dated July 28th, 1778; No. 2. Mr. Izard's answer, Paris, September 1778; No. 3. Mr. Izard's letter to the plenipotentiaries at the court of France, Paris, August 25th; No. 4. the plenipotentiaries answer, August 25th and 27th; No. 5. copy of Mr. Izard's letter to count de Vergennes, September 2d, 1778.

A letter from the honourable the minister plenipotentiary of France was read:

Ordered, That it be referred to a committee of five;

The members chosen Mr. Drayton, Mr. S. Adams, Mr. G. Morris, Mr. Paca and Mr. Jay.

A memorial from the honourable the minister plenipotentiary of France was read, desiring to know the opinion of Congress respecting his offering a premium to owners of privateers that shall intercept masts and spars belonging to the enemy, coming from Halifax to New-York or Rhode-Island:

Ordered,

Ordered, That it be referred to the marine committee.

A letter of the 25th of July laſt, from R. Izard, at Paris; one of Auguſt 20th from John Bonfield, at Bourdeaux, and one of Auguſt 14th from J. Adams, at Paris; were laid before Congreſs by the committee of foreign affairs and read.

A letter of the 6th from lieutenant colonel Fleury was read:

Ordered, That it be referred to the board of treaſury.

A letter of November 23d from major general Schuyler was read:

Ordered, That a copy thereof be ſent to general Waſhington.

A letter of the 4th from general Waſhington was read:

Ordered, That it be referred to the board of war.

A petition of Frederick Verner was read:

Ordered, That it be referred to the board of war.

A letter of November 6th from governor Clinton, of New-York;

One of the 4th inſtant from major general lord Stirling; and

One of the 5th from R. H. Harriſon; were read.

Ordered, That the board of war furniſh his excellency the preſident of the ſtate of Pennſylvania with an abſtract of the laſt general return of the army, ſo far as regards the troops of that ſtate.

On motion

Reſolved, That the honourable W. A. Atlee, be ſummoned to attend in Congreſs at half after ſix o'clock this evening, to give teſtimony relative to the charge againſt brigadier W. Thompſon.

Ordered, That brigadier W. Thompſon attend Congreſs on Monday the 21ſt inſtant.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of captain Baldeſqui, paymaſter to brigadier count Pulaſki's legion, for ten thouſand dollars, to enable him to diſcharge ſundry accounts due from the ſaid corps; brigadier count Pulaſki to be accountable:

That a warrant iſſue on the treaſurer in favour of Mr. Sherman, one of the delegates of Connecticut, for one thouſand dollars; for which the ſaid ſtate is to be accountable:

That

That a warrant iſſue on the treaſurer in favour of Mr. E. Langworthy, one of the delegates of the ſtate of Georgia, for fifteen hundred dollars; for which the ſaid ſtate is to be accountable:

That, upon the application of the board of war and ordnance, a warrant iſſue on the treaſurer in favour of Joſhua Meſſereau, commiſſary of priſoners in the ſtate of Maſſachuſetts-Bay, for four thouſand dollars, to be charged to Elias Boudinot, eſquire, late commiſſary general of priſoners, agreeably to his letter of the 28th of November laſt:

That, upon application from the board of war and ordnance, another warrant iſſue on the treaſurer in favour of the ſaid Joſhua Meſſereau, for one thouſand ſix hundred and ninety-ſeven dollars and 40-90ths, to be charged to John Beatty, eſquire, commiſſary general of priſoners, agreeably to his letter of the 4th inſtant.

In conſequence of an adjuſtment by the commiſſioners of claims the auditor general reports,

That there is due to Edward Fox, for his pay as clerk to the board of treaſury from the 18th of May to the 17th of November, 1778, incluſive, and for ſundry expences and contingencies, ſeven hundred and fifty-ſix dollars:

That there is due to G. Reinhold, for blank books for the uſe of Congreſs, forty-four dollars and 45-90ths:

Ordered, That the ſaid accounts be paid.

An appeal from the judgement of a court of admiralty for the ſtate of New-Jerſey, on the libel "Griffin againſt the ſloop George," was lodged with the ſecretary and referred to the committee on appeals.

Six o'clock, P. M.

Colonel Grayſon was nominated by Mr. G. Morris as one of the commiſſioners of the board of war and ordnance, in the room of colonel R. H. Harriſon, who has declined that office.

According to order the honourable W. A. Atlee attended, and having given his evidence reſpecting the charge againſt brigadier W. Thompſon, was ordered to withdraw, and accordingly withdrew.

Reſolved, That Silas Deane, eſquire, report to Congreſs in writing, as ſoon as may be, his agency of their affairs in Europe, together with any intelligence reſpecting their foreign affairs which he may judge proper:

That Mr. Deane be informed, that if he hath any thing to communicate to Congreſs in the interim, of immediate importance, he ſhall be heard to-morrow evening at ſix o'clock.

Mr. Deane attending was called in, and the foregoing reſolutions were read to him.

Adjourned to ten o'clock to-morrow.

TUESDAY, *December* 8, 1778.

A letter of this day from the board of war was read:

Ordered, That it be referred to a committee of three;

The members choſen Mr. Ellery, Mr. Fell and Mr. Searle.

A letter of November 28th from governor Henry, of Virginia, was read:

Ordered, That it be referred to the marine committee.

A letter from colonel Armand, marquis de Rouerie, was read, incloſing ſundry letters and teſtimonials in his favour:

Ordered, That the ſame be referred to the board of war.

A letter of November 19th from preſident Weare, of New-Hampſhire, in favour of John Temple, was read:

Ordered to lie on the table.

Reſolved, That colonel Grayſon be and he is appointed one of the commiſſioners of the board of war and ordnance, in the room of lieutenant colonel R. H. Harriſon.

Mr. Thomas Lawrence being recommended by the committee on the treaſury to be a manager of the United States lottery,

Reſolved, That he be and is appointed one of the managers of the United States lottery.

The committee to whom the memorial of ſundry merchants of Philadelphia, reſpecting goods taken under the authority of Congreſs, for the public ſervice, immediately after the evacuation of that city by the enemy, and other papers relative to the ſaid goods, were referred, brought in a report, which was read.

An account of Edward M'Fedging was read:

Ordered, That it be referred to the commiſſioners of claims at the treaſury.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair and

Mr-

Mr. F. L. Lee reported, that the committee have had under conſideration the propoſitions referred to them. but not having yet come to a concluſion deſire leave to ſit again:

Reſolved, That to-morrow at one o'clock Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions referred to them.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *December* 9, 1778.

Congreſs being met the preſident took the chair, but before any buſineſs was entered on he aroſe, and having aſſigned ſundry reaſons why he could not continue longer to execute the office of preſident, he reſigned and immediately quitted the chair: whereupon

Ordered, That to-morrow be aſſigned for the election of a preſident.

Adjourned to ten o'clock to-morrow.

THURSDAY, *December* 10, 1778.

According to order the houſe proceeded to the election of a preſident, and the ballots being taken,

The honourable John Jay, eſquire, was elected.

A letter of the 3d from brigadier count Pulaſki, was read:

Ordered, That ſo much thereof as relates to the ſettlement of his accounts be referred to the auditors of accounts, at the treaſury; and that the remainder be referred to the board of war.

A letter from J Connolly was laid before Congreſs:

Ordered, That it be referred to the board of war.

A memorial from captain Jacobus Winkoop, commander of the veſſels on the Lakes, was read:

Ordered, That it be referred to the marine committee.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the board of war and ordnance, for fifty thouſand dollars, being advanced on their application to Congreſs the 24th ult. for which they are to be accountable:

That a warrant iſſue on the treaſurer in favour of the marine committee, for ten thouſand dollars, to enable them to pay a bill drawn on them by the navy board in the eaſtern diſtrict, in favour of John Langdon, eſquire, dated

31ſt of October laſt, for the above ſum; for which the ſaid committee is to be accountable:

That a warrant iſſue on John Lawrence, eſquire, commiſſioner of the continental loan-office in the ſtate of Connecticut, for one thouſand two hundred and twenty-five dollars, in favour of James Stevenſon, eſquire, commiſſioner of accounts in the eaſtern diſtrict, being for his pay to the 4th of January next:

That a warrant iſſue on John Lawrence, eſquire, commiſſioner of the continental loan-office in the ſtate of Connecticut, for one thouſand ſeven hundred and thirty-eight dollars, in favour of Samuel Downe, eſquire, commiſſioner of accounts in the eaſtern diſtrict, being for his pay to the 4th of January next:

That a warrant iſſue on the ſaid John Lawrence, eſquire, for one thouſand ſix hundred and ſeventy dollars, in favour of Moſes Emmerſon, eſquire, commiſſioner of accounts in the eaſtern diſtrict, being for his pay to the 4th of January next:

That a warrant iſſue on the treaſurer in favour of lieutenant colonel Fleury, for one thouſand and eighty three dollars, in full of his pay before he joined the army, and of all other charges made in the account exhibited by him:

That a warrant iſſue on the treaſurer in favour of Mr. R. Sherman, a delegate of the ſtate of Connecticut, for one hundred and ſixty-ſix dollars and 60-90ths; for which the ſaid ſtate is to be accountable.

Reſolved, That the twelve months pay allowed to ſupernumerary officers of the army, by the reſolution of the 24th of November laſt, be made up in the pay-rolls of the regimental paymaſters, and drawn from them by the ſaid officers reſpectively.

In conſequence of an adjuſtment by the commiſſioners of claims at the treaſury, the auditor general reports,

That there is due to lieutenant Ephraim Pennington's company of militia, raiſed at York-Town, Pennſylvania, for guarding the public offices to Philadelphia, &c. their pay for part of June, July and Auguſt, 1778, with ſubſiſtance for the officers, ſix hundred and thirty-ſeven dollars:

That there is due to Paul Fooks, his pay as interpreter of languages from the 2d of June to the 1ſt of December, 1778, incluſive, ſix hundred dollars:

That

That there is due to John Fulton, for thirty-one thouſand two hundred and fifty ſheets of paper, for loan office certificates, three thouſand one hundred and ſixty-two dollars and 30-90ths:

That there is due to Peter Shentz, for freight of proviſions and neceſſaries from Monmouth county, in New-Jerſey, to New-York, for the uſe of American priſoners there, between April 1777, and July 1778, three hundred and twenty-one dollars and 33-90ths:

That there is due to captain Iſaac Craig, for his ſubſiſtance when attending the labaratory at Carliſle, by order of brigadier Knox, from March 1ſt to July 13th, 1778, four hundred and eight dollars:

That there is due to captain Francis Procter, for ſubſiſtance on the ſame command, from March 1ſt to June 14th, 1778, three hundred and fifteen dollars:

That there is due to Benjamin Town, for printing three thouſand copies of an addreſs to the inhabitants of the United States, dated December 10th, 1776, thirty two dollars:

That there is due to Edward M'Fedging, his pay as a private in colonel Richardſon's battalion of Maryland flying camp, from Auguſt 2d, 1776, to May 19th, 1777, a great part of which time he was priſoner with the enemy, ſixty-four dollars and 40-90ths:

Ordered, That the ſaid accounts be paid.

A report from the board of war was read; whereupon

Reſolved, That major Nicholas Rogers, who came from France with Mr. du Coudray, has ſerved as aid de camp to major general de Kalb, and has obtained honourable teſtimonies of his conduct, but from the ſituation of his private affairs is obliged to leave the army, be promoted to the rank of lieutenant colonel by brevet, as a reward for his ſervices.

Reſolved, That count Kolkauſki have the rank of captain in general Pulaſki's legion, with the pay of a lieunant, in which latter capacity he is willing to do duty in the corps.

Reſolved, That Mr. Charles Frederick Bedaulx be appointed lieutenant colonel of the legion commanded by general Pulaſki, agreeably to the recommendation of general count Pulaſki.

The

The marine committee, to whom was referred the memorial from the honourable miniſter plenipotentiary of France, brought in a report; whereupon

Reſolved, That the preſident be directed to inform the miniſter of France, that Congreſs highly approve his wiſe attention to the depriving the common enemy of the naval ſtores they ſtand in need of, by giving a premium to privateers for the purpoſes mentioned in his memorial.

Reſolved, That ſuch continental veſſels of war as ſhall capture any of the enemy's veſſels, laden with maſts or any other naval ſtores, bound from any part of Nova Scotia to Rhode-Iſland or New-York, ſhall be entitled to the whole of the capture.

Six o'clock, P. M.

There not being a ſufficient number of ſtates to proceed to buſineſs,

Adjourned to ten o'clock to-morrow.

FRIDAY, *December* 11, 1778.

A letter of November 27th from the marquis de la Fayette, in favour of the chevalier de Soutivieaux; another of the ſame date in favour of monſieur des Inars; and a third of the ſame date in favour of the chevalier de Treuſſon; were read:

Ordered, That they be referred to the board of war.

Reſolved, That two members be added to the committee on the memorial from lieutenant colonel Oſwald;

The members choſen Mr. Duane and Mr. Smith.

The board of war reported a new form of a commiſſion to officers in the army of the United States, which was agreed to as follows:

THE United States of America, in Congreſs aſſembled,

To

WE, repoſing ſpecial truſt and confidence in your patriotiſm, valour, conduct and fidelity, do, by theſe preſents, conſtitute and appoint you to be in the army of the United States: you are therefore carefully and diligently to diſcharge the duties of by doing and performing all manner of things thereunto belonging. And we do ſtrictly charge and require all officers and ſoldiers under your command to be obedient to your orders as and you are to obſerve

obſerve and follow ſuch orders and directions from time to time as you ſhall receive from this or a future Congreſs of the United States or a committee of Congreſs for that purpoſe appointed, or a committee of the ſtates, or commander in chief for the time being of the army of the United States, or any other your ſuperior officer, according to the rules and diſcipline of war, in purſuance of the truſt repoſed in you. This commiſſion to continue in force until revoked by this or a future Congreſs, the committee of Congreſs before mentioned, or a committee of the ſtates.

Dated at the day of
17 and in the year of our independence.

Witneſs preſident of Congreſs.

Entered in the war-office.

A report from the board of war, on the memorial of colonel Swoope, was read; whereupon

Reſolved, That the memorial of colonel Swoope, relative to his demand for payment of monies due for a number of arms taken by the enemy from the men of his regiment at Fort Waſhington, be referred to the board of treaſury.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair and Mr. F. L. Lee reported, that the committee have had under their farther conſideration the propoſitions referred to them, but not having come to a concluſion deſire leave to ſit again:

Reſolved, That to-morrow at one o'clock Congreſs be reſolved into a committee of the whole, to conſider farther the propoſitions referred to them.

Reſolved, That a committee of three be appointed to report a proper allowance for the honourable gentlemen who have been or may be elected preſidents of Congreſs, to defray the expences incidental to the office;

The members choſen Mr. Gerry, Mr. Duane and Mr. Drayton.

Sundry reports from the board of war were laid on the table.

Six o'clock, P. M.

There not being a ſufficient number of ſtates to proceed to buſineſs,

Adjourned to ten o'clock to-morrow. SATUR-

SATURDAY, *December* 12, 1778.

A letter of November 11th from W. Bingham, at Martinico, was read, incloſing a copy of a letter from him to governor Burt, and the governor's anſwer, relative to the exchange of priſoners:

Ordered, That they be referred to a committee of three;

The members choſen Mr. Paca, Mr. Ellery and Mr. G. Morris.

A letter of September 11th from J. Adams, at Paſſy, was read:

Ordered, That it be referred to the committee of foreign affairs.

A letter of the 11th from Chriſtopher Hele was read; whereupon

Reſolved, That lieutenant Hele be releaſed from his confinement in the new jail, and that the marine committee be directed to take his parole in the uſual form, to continue in the city of Philadelphia.

A letter of the 7th from general Waſhington was read.

A petition and repreſentation from Robert Hardie; a petition of Elizabeth Wright; a petition of Mary Werts; and a memorial of the reverend Adam Boyd; were read:

Ordered, That they be referred to the board of treaſury.

A memorial of Magaret York, and a memorial of captain Cad Jones, were read:

Ordered, That they be referred to the board of war.

A petition of John Gallard was read:

Ordered, That it be referred to the marine committee.

The committee appointed to report a proper allowance for the honourable gentlemen who have been or may be elected preſidents of Congreſs, brought in a report, which was read.

The committee to whom the report of the committee on the memorials of marquis de Britigny and baron Thuliers, was re-committed, brought in a report:

Ordered, That Monday next be aſſigned for taking the ſame into conſideration.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair and Mr. F. L. Lee reported, that the committee have had un-

der

der consideration the propositions referred to them, and had come to sundry resolutions thereon, which he was ready to report:

Ordered, That the report be now received.

The report was accordingly received and read:

Ordered, That the same be taken into consideration on Monday next, at one o'clock.

Adjourned to ten o'clock on Monday.

MONDAY, *December* 14, 1778.

Mr. W. Hill and Mr. Burke, two delegates from North-Carolina, attended and took their seats in Congress.

A letter of the 4th from count Pulaski, and one of November 29th from brigadier Varnum, requesting leave to resign his commission, were read:

Ordered, That they be referred to the board of war.

A letter of the 8th from Samuel Curson was read, praying for a settlement of his accounts and discharge of the debt due to him by the United States.

Ordered, That it be referred to the committee of commerce, and that they settle Mr. Curson's accounts and report the balance due thereon.

A memorial from the honourable the minister plenipotentiary of France, inclosing a declaration, was laid before Congress:

Ordered, That the declaration be translated and delivered to the marine committee, and that they take order thereon.

A paper of information, signed Edward Leger, and dated December 14th, 1778, was read; whereupon

Ordered, That a committee of three be appointed to confer with his excellency the president of the state of Pennsylvania, and to take proper measures for detecting and securing persons of suspicious characters in Philadelphia;

The members chosen Mr. M'Kean, Mr. Drayton and Mr. Duane.

Ordered, That the paper of information be referred to the said committee.

A letter of November 14th from governor Johnston, of Maryland, was read:

Ordered, That it be referred to the marine committee.

A letter

A letter of the 5th from R. H. Lee was read, inclosing a letter of November 12th from W. Cabell, with sundry depositions relative to the purchase of tobacco by Mr. Carter Braxton and Mr. Gabriel Penn.

Resolved, That a new committee of commerce be appointed, to consist of five members:

That any three of the members be impowered to transact business:

That the said committee be impowered to employ clerks and book-keepers, and that they take charge of all the books and papers of the secret committee and the late committee of commerce; and that they be impowered to call to account the said committees, and all other persons entrusted with public monies for commercial purposes; and in general to conduct the commercial affairs of the United States:

The members chosen Mr. Laurens, Mr. M. Smith, Mr. Lewis, Mr. Searle and Mr. Fell.

Ordered, That the letter from R. H. Lee, and the papers accompanying it, be referred to the said committee.

The committee on the treasury brought in a report; whereupon

Ordered, That there be advanced to colonel Isaac Melcher, barrack-master general, fifty thousand dollars, for the use of his department, and for which he is to be accountable:

That a warrant issue on the treasurer in favour of Jeremiah Wadsworth, commissary general of purchases, for two million of dollars;

Another warrant in his favour on Thomas Harwood, esquire, commissioner of the continental loan-office in the state of Maryland, for two hundred thousand dollars; and another warrant in his favour on Thomas Smith, esquire, commissioner of the continental loan-office in the state of Pennsylvania, for two hundred thousand dollars; all which sums, amounting to two million four hundred thousand dollars, are for the use of the said commissary general's department, and for which he is to be accountable:

That a warrant issue on the treasurer in favour of John Baynton, paymaster in the western district, for fifty thousand dollars, for the use of his department, and for which he is to be accountable.

Resolved,

Resolved, That ten million one hundred dollars, in bills of credit, be emitted, under the direction of the board of treasury, and on the faith of the United States:

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 26th day of September, and be numbered from the last number in each denomination progressively, and consist of the following denominations, viz.

45455 bills of	60 dollars each,		2,727 300
45455 do. -	50 do. - -		2,272 750
45455 do. -	40 do. - -		1,818,200
45455 do. -	30 do. - -		1,363 650
45455 do. -	20 do. - - -		909,100
45455 do. -	8 do. - - -		363,640
45455 do. -	7 do. - - -		318,185
45455 do. -	5 do. - - -		227,275
			10,000,100

In consequence of an adjustment by the commissioners of claims the auditor general reports,

That there is due to captain Henry Antis and captain Stephen Chambers, for their own and Mr. Moffet's expences from Northumberland county, Pennsylvania, to Philadelphia and while detained in this city, having been sent on public service to the board of war, one hundred and fifty-three dollars and 30-90ths:

That there is due to Andrew Paul, for his pay as corporal in captain James Willing's company at New-Orleans, up to December 12th, 1778, and for his expences from New-Orleans to Philadelphia, with dispatches to Congress, four hundred and twenty-six dollars and 73-90ths:

That there is due to the reverend Mr. Lotbinier, his pay and subsistance as chaplain to colonel James Livingston's regiment, from November 11th, to December 10th, inclusive, sixty dollars:

Ordered, That the said accounts be paid.

A motion being made for cloaths for the battalion of North-Carolina forces, commanded by colonel Hogan;

Ordered, That it be referred to the board of war, and that they report specially thereon.

Adjourned to ten o'clock to-morrow.

TUESDAY,

TUESDAY, *December* 15, 1778.

Mr. Dyer and Mr. Root, two delegates from Connecticut, attended and produced the credentials of the delegates of that ſtate, which were read as follows:

"State of CONNECTICUT.

"At a General Aſſembly of the Governor and Company "of the ſtate of Connecticut, holden at Hartford by "adjournment, on the 21ſt of October, Anno Domi-"ni 1778.

"Reſolved by this aſſembly, That Roger Sherman, "Titus Hoſmer, Eliphalet Dyer, Samuel Huntington, "Oliver Ellſworth, Andrew Adams, and Jeſſe Root, eſ-"quires, be and they are hereby appointed delegates to "repreſent this ſtate in the Congreſs of the United States "of America, for the year enſuing, the 1ſt day of No-"vember next, not leſs than two of the ſaid delegates to "repreſent this ſtate in Congreſs, and not more than "four to attend at a time, on the charge of this ſtate; "and the ſaid delegates are hereby inveſted with full "power and authority to deliberate, counſel and reſolve "upon all matters that ſhall come before Congreſs, "agreeable to the articles of confederation, or in the "manner hitherto uſed, until the ſame ſhall be compleat-"ly ſettled, and to tranſmit authentic copies of their re-"ſolutions from time to time to this aſſembly: and the "delegates appointed laſt October are hereby deſired and "impowered to continue to repreſent this ſtate in Con-"greſs until two or more of thoſe now elected ſhall ar-"rive and take their ſeats there.

"A true copy of record,

"GEORGE WYLLYS, ſecretary."

A letter of November 30th from Jonathan Trumbull, junior, was read, ſignifying his acceptance of the office of comptroller, provided his attendance can be diſpenſed with till ſome time in January:

Ordered, That it be referred to the board of treaſury.

A petition from Mr. Samuel Inglis, and a memorial of captain Sutton, were read:

Ordered, That they be referred to the board of treaſury.

A letter

A letter of the 12th from John Millar was read, inclosing a draught of major general R. Howe, in favour of Rawleigh Downman, for one thousand dollars:

Ordered, That it be referred to the board of treasury.

An affidavit of John Kennon, paymaster to the 6th Virginia regiment, was read, respecting money lost:

Ordered, That it be referred to the board of treasury.

A memorial of lieutenant Calhone was read:

Ordered, That it be referred to the board of war.

A letter of the 4th from governor Henry of Virginia, directed to the delegates of that state, was laid before Congress and read:

Ordered, That it be referred to the marine committee.

The committee on the treasury brought in a report; whereupon

Ordered, That a warrant issue on the treasurer in favour of the board of war and ordnance, for six thousand three hundred dollars, to enable them to advance four thousand dollars to colonel Hartley, for the use of his regiment, and two thousand three hundred dollars to captain George Rice, who is building the barracks for the convention troops; the said board to be accountable.

On motion,

Resolved, That the thanks of Congress be given to the honourable Henry Laurens, esquire, late president, for his conduct in the chair, and in the execution of public business.

Six o'clock, P. M.

There not being a sufficient number of states to proceed to business,

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *December* 16, 1778.

A memorial from the honourable the minister plenipotentiary of France was read, respecting the purchase of Rice:

Ordered, That it be referred to the marine committee.

A letter of November 26th from captain Stoddard was read:

Ordered, That it be referred to the marine committee.

A letter of this day from colonel Armand was read:

Ordered, That it be referred to the board of war.

A letter

A letter of this day from Mr. Laurens was read, returning his moſt grateful thanks for the reſolution of yeſterday in his favour:

Ordered, That the reſolution for returning thanks to the honourable H. Laurens, eſquire, late preſident, together with his letter of this day, be publiſhed.

Ordered, That Mr. Harnett, Mr. Williams and Mr. Sherman have leave of abſence.

Congreſs took into conſideration the report of the committee appointed to report a proper allowance for the honourable gentlemen who have been or may be elected preſidents of Congreſs, to defray the expences incidental to the office: whereupon

Reſolved, That the repreſentatives of the honourable Mr. Randolph, deceaſed, the honourable Mr. Middleton, the honourable Mr. Hancock, and the honourable Mr. Laurens, formerly preſidents of Congreſs, be requeſted to lay before the board of treaſury accounts of their expenditures in ſupport of their houſeholds while they reſpectively exerciſed the office of preſident, in order to their being adjuſted and paid out of the public treaſury.

Reſolved, That a convenient furniſhed dwelling-houſe be hired, and a table, carriage and ſervants provided, at the public expence, for the preſident of Congreſs for the time being:

That the committee on the treaſury appoint and agree with a Steward, who ſhall have the ſuperintendance of the houſehold of the preſident, and of the neceſſary expenditures, and be accountable for ſuch monies as ſhall from time to time be advanced for the purpoſe aforeſaid.

The committee on the treaſury brought in a report; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of Mr. C. Harnett, one of the delegates of North-Carolina, for two thouſand dollars, advanced upon his application; for which the ſaid ſtate is to be accountable:

That a warrant iſſue on the treaſurer in favour of Mr. J. Williams, one of the delegates of the ſtate of North-Carolina, for ſeventeen hundred dollars, advanced on his application; for which the ſaid ſtate is to be accountable.

A letter

A letter of this day from ſundry merchants and traders of the city of Philadelphia was read: whereupon

Ordered, That to-morrow be aſſigned for taking into conſideration the report of the committee reſpecting goods taken for the public ſervice, immediately after the evacuation of that city.

Congreſs took into conſideration the report of the committee of the whole: whereupon

Reſolved. That the reſolution heretofore paſſed, relative to raiſing ten millions of dollars by taxes during the enſuing year, be re-conſidered, and that that ſum be augmented to the ſum of fifteen millions of dollars.

Reſolved, That it is neceſſary to take the following bills out of circulation, viz. the whole emiſſions of May 20th, 1777, and April 11th, 1778:

On the queſtion to agree to this reſolution,

The yeas and nays being required by Mr. Burke,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Dyer,	*ay*	
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*ay*	*ay*
	Mr. Duane,	*ay*	
	Mr. Lewis,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Searle,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Henry,	*ay*	*
Virginia,	Mr. F. L. Lee,	*ay*	*
	Mr. M. Smith,	*no*	
North-Carolina,	Mr. Hill,	*no*	*no*
	Mr. Burke,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So

So it was resolved in the affirmative.

Resolved, That the remainder of the report be postponed.

Six o'clock, P. M.

Congress took into consideration the memorial of the honourable the minister plenipotentiary of France; and thereupon

Resolved, That the president be desired to inform the honourable sieur Gerard that Congress approve his proposal of substituting six thousand barrels of rice in the room of the same quantity of flour, for supplying the fleet of his Most Christian Majesty:

That they are well satisfied with his employing such persons as he shall think proper, and in whom he can confide, to make the purchase; and that Congress will always be ready to give him every assistance in their power to facilitate the purchase and exportation of supplies for his Most Christian Majesty's fleet:

That the president be desired to write to the president of South-Carolina, and inform him of the necessity of sending the said supply of rice to the fleet of his Most Christian Majesty, in the West-Indies, and request him to give every assistance in his power to the agent whom the honourable the minister plenipotentiary of France shall appoint to purchase and export the same for the purpose above mentioned.

Ordered, That the marine committee be discharged from proceeding on the aforesaid memorial.

A report from the board of war was read; whereupon

Resolved, That colonel Hartley's regiment, and the four independent companies raised in the state of Pennsylvania commanded by captains Doyle, Wilkie, Steel and Calkerwood, and also the remains of colonel Patton's regiment, except captain M'Lane's company, be incorporated into one regiment, and added to the Pennsylvania line, as an eleventh regiment; and that captain M'Lane's company be annexed to the Delaware regiment.

Congress took into consideration the proceedings of the general court-martial on the trial of major general St. Clair: whereupon a motion was made,

That the sentence of the general court-martial, acquitting major general St. Clair, with the highest honour,

of

of the charges exhibited againſt him, be and is hereby confirmed:

To which an amendment was moved in the words following;

The ſentence of the general court-martial acquitting major general St. Clair, with the higheſt honour, of the charges exhibited againſt him, having been tranſmitted to Congreſs and conſidered; reſolved, that he be accordingly diſcharged from his preſent arreſt:

The queſtion being put on the amendment,

The yeas and nays were required by Mr. Langworthy,

New-Hampſhire,	Mr. Whipple,	*no*	*no*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*no*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Collins,	*ay*	*ay*
Connecticut,	Mr. Sherman,	*ay*	*ay*
	Mr. Dyer,	*ay*	
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*no*	*no*
	Mr. Duane,	*no*	
	Mr. Lewis,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*divided*
	Mr. Fell,	*no*	
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Searle,	*no*	
Maryland,	Mr. Carmichael,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. M. Smith,	*no*	*
North-Carolina,	Mr. Hill,	*no*	*no*
	Mr. Burke,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*divided*
	Mr. Hutſon,	*no*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

The main queſtion being put,

Reſolved in the affirmative.

Ordered, That this reſolution be tranſmitted to the commander in chief.

Adjourned to ten o'clock to-morrow.

THURSDAY, *December* 17, 1778.

A letter of the 13th from general Waſhington was read:

Ordered, That it be referred to a committee of five;

The members chosen Mr. Laurens, Mr. M. Smith, Mr. G. Morris, Mr. S. Adams and Mr. Burke.

Another letter of the 13th from general Washington was read, respecting Mr. Fleury:

Ordered, That it be referred to the foregoing committee.

Another letter of the 13th from general Washington was read.

A letter of this day from lieutenant colonel Bedaulx, and a memorial from F. Hopkinson, were read:

Ordered, That they be referred to the board of treasury.

A letter of the 14th from brigadier W. Thompson, at Carlisle, was read.

A petition of Claver Taylor, of Providence in the state of Rhode Island, &c. was read:

Ordered, That it be referred to a committee of three;

The members chosen Mr. Collins, Mr. T. Adams and Mr. Dyer.

On motion,

Ordered, That the resolutions of the 9th of September and 21st of October last, in favour of the marquis de la Fayette, together with the letters written by the president in consequence thereof, and the marquis's answer, be published.

A report from the board of war was read, relative to the purchase of horses for re-mounting colonel Baylor's regiment: after debate

Ordered, That the further consideration thereof be postponed.

Congress resumed the consideration of the report of the committee of the whole, and after debate,

Resolved, That the further consideration thereof be postponed.

Six o'clock, P. M.

There not being a sufficient number of states to proceed to business,

Adjourned to ten o'clock to-morrow.

FRIDAY, *December* 18, 1778.

A letter of the 17th from J. Reed, president of Pennsylvania, inclosing a letter of November 29th from Curson and Governeur, of St. Eustatia, with a bill of lading therein

therein for six boxes, containing three thousand pair of woollen stockings, for account and risque of the United States, was read:

Ordered, That the same be referred to the committee of commerce.

A petition and representation of Evan Malbone, senior, and Evan Malbone, junior, was read:

Ordered, That it be referred to the committee on the petition of Claver Taylor.

A letter of the 17th from major general Lee was read, desiring to be indulged with a copy of the minutes of Congress relative to his trial.

A report from the board of treasury was read; whereupon Congress came to the following order and resolution;

Whereas doctor Wheelock has incurred expence in supporting a number of Indian youths, of the Caghnawaga tribe, at his school, which in times past has been the means of conciliating the friendship of that tribe:

Ordered, That a warrant issue on the treasurer in favour of lieutenant colonel Wheelock, for nine hundred and twenty-five dollars, for the use of the said doctor Eleazer Wheelock.

Whereas it is represented to Congress that it will be more agreeable to adventurers in the lottery of the United States to have the blanks drawn as well as the prizes; and that the public will thereby have an opportunity, during the time of drawing, to purchase the tickets which may remain untold at the commencement: therefore

Resolved, That the managers be directed to draw the blanks, as well as the prizes, of the second class of the said lottery.

The committee to whom was referred general Washington's letter of the 13th brought in a report; whereupon

Resolved, That general Washington be directed to attend Congress immediately after he shall have put the army in such order as to admit of his absence from it a few days.

A memorial from the managers of the United States lottery, to the board of treasury, was laid before Congress and read; whereupon

A motion

A motion was made, That the drawing of the ſecond claſs of the ſaid lottery be deferred to the firſt day of April next:

Queſtion put,

Paſſed in the negative.

Congreſs reſumed the conſideration of the report of the committee of the whole:

The ſecond propoſition being read, viz.

That they be brought in for that purpoſe in the manner hereafter provided by the firſt day of June next, and not afterwards redeemable.

Sundry amendments were moved and ſet aſide by the previous queſtion; after which a diviſion was called for, and the queſtion being put on the firſt clauſe, as far as the word "next," incluſive, the yeas and nays were required by Mr. M. Smith,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*ay*	*ay*
	Mr. Duane,	*ay*	
	Mr. Lewis,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Searle,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carmichael,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. M. Smith,	*no*	*
North-Carolina,	Mr. Hill,	*no*	*no*
	Mr. Burke,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	

So it was reſolved in the affirmative.

On the queſtion to agree to the ſecond clauſe,

The

The yeas and nays being required by Mr. M. Smith,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*no*	*no*
	Mr. Duane,	*ay*	
	Mr. Lewis,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Searle,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carmichael,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. M. Smith,	*no*	*
North-Carolina,	Mr. Hill,	*no*	
	Mr. Burke,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	

So it was reſolved in the affirmative.

The third propoſition was then read, viz.

That they be received for debts and taxes into the continental treaſury, and into the ſtate treaſuries for continental taxes, until the firſt day of June next:

A motion was made to ſtrike out "for continental taxes;"

And on the queſtion, That they ſtand part of the report,

The yeas and nays being required by Mr. Burke,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Collins,	*ay*	

Connecticut,

Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*no*	*no*
	Mr. Duane,	*ay*	
	Mr. Lewis,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Searle,	*ay*	*ay*
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carmichael,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. M. Smith,	*no*	*
North-Carolina,	Mr. Hill,	*no*	*no*
	Mr. Burke,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	

So it was reſolved in the affirmative.

The main queſtion being then put,

Reſolved in the affirmative.

Ordered, That the farther conſideration of the report be poſtponed till to-morrow.

Six o'clock, P. M.

There not being a ſufficient number of ſtates to proceed to buſineſs,

Adjourned to ten o'clock to-morrow.

SATURDAY, *December* 19, 1778.

Reſolved, That a committee of five be appointed to confer with the commander in chief and the principal officers of the ſtaff on ways and means of retrenching the expences of the army;

The members choſen Mr. Duane, Mr. Laurens, Mr. Ellſworth, Mr. Gerry and Mr. M. Smith.

Congreſs reſumed the conſideration of the report of the committee of the whole, when the fourth propoſition was read, viz.

That they be received into the continental loan-offices, either for loan-office certificates or in order to be exchanged for other bills of like tenor to be provided, at the election of the owners, until the firſt day of June next:

To

To which an amendment was moved:
After debate,
Adjourned to ten o'clock on Monday.

MONDAY, *December* 21, 1778.

Congreſs reſumed the conſideration of the report of the committee of the whole, when the following amendment was moved, in lieu of the fourth propoſition,

That ſuch bills be received into the treaſury in order to be exchanged for bills of equal value, to be provided for the purpoſe of exchanging them on or before the firſt day of June next:

On the queſtion to agree to the amendment,
The yeas and nays being required by Mr. Burke,

New-Hampſhire,	Mr. Whipple,	*no*	*no*
	Mr. Froſt,	*no*	
Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*no*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
	Mr. Collins,	*no*	
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Ellſworth,	*no*	
	Mr. Root,	*no*	
New-York,	Mr. Jay,	*no*	*no*
	Mr. G. Morris,	*no*	
	Mr. Lewis,	*ay*	
New Jerſey,	Mr. Witherſpoon,	*no*	*no*
	Mr. Fell,	*no*	
Pennſylvania,	Mr. Searle,	*no*	*no*
Maryland,	Mr. Carmichael,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*no*	*
	Mr. M. Smith,	*ay*	
North-Carolina,	Mr. Hill,	*ay*	*ay*
	Mr. Burke,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*no*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it paſſed in the negative.

A motion was then made to ſtrike out the words "office certificates," and change "for" into "on:"

Queſtion put,

Reſolved in the affirmative.

A motion

A motion was then made to ſtrike out the words "either on loan or ;"

And on the queſtion That they ſtand part of the report,

The yeas and nays being required by Mr. Ellery,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New York,	Mr. Jay,	*ay*	*ay*
	Mr. G. Morris,	*ay*	
	Mr. Lewis,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Searle,	*ay*	*ay*
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carmichael,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*no*	*
	Mr. M. Smith,	*ay*	
North-Carolina,	Mr. Hill,	*no*	*no*
	Mr. Burke,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it was reſolved in the affirmative.

An amendment being made by tranſpoſition, and the queſtion put on the propoſition as amended,

Reſolved, That they be received until the firſt day of June next into the continental loan-offices, either on loan or to be exchanged, at the election of the owners, for other bills of the like tenor, to be provided for that purpoſe.

Reſolved, That the bills lodged in the ſaid offices, to be ſo exchanged, be there regiſtered, and indented certificates thereof given to the owners by the reſpective commiſſioners of the ſaid offices:

On

On the queſtion to agree to this reſolution,
The yeas and nays being required by Mr. Jay,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*no*	*no*
	Mr. G. Morris,	*no*	
	Mr. Lewis,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Searle,	*ay*	*ay*
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carmichael,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*ay*	*
	Mr. M. Smith,	*no*	
North-Carolina,	Mr. Hill,	*no*	*no*
	Mr. Burke,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it was reſolved in the affirmative.
Adjourned to ten o'clock to-morrow.

TUESDAY, *December* 22, 1778.

The preſident informed the houſe that brigadier W. Thompſon, agreeably to order, attended yeſterday, and that he had ſignified a wiſh to be indulged till Wedneſday, as he is deſirous of having ſome witneſſes examined: whereupon

Ordered, That to-morrow evening be aſſigned for proceeding on the charge againſt brigadier W. Thompſon, and that he be notified to attend with his witneſſes at 5 o'clock.

Ordered, That the ſecretary ſummon Mr. Samuel Smith, junior, and notify Mr. Searle to attend Congreſs at

five o'clock on Wedneſday evening, to give evidence on the charge againſt brigadier W. Thompſon.

On motion,

Reſolved, That the ſecretary furniſh major general Lee with ſuch extracts from the journal as relate to the proceedings of the general court-martial on his trial, and to the confirmation of the ſentence.

A letter of November 24th from major general R. Howe was read, incloſing one of the 21ſt of the ſame month from colonel White, in Georgia, informing that the enemy have invaded that ſtate, and are advancing with about one thouſand one hundred men.

A letter of the 20th from colonel Armand, marquis de Rouerie, was read:

Ordered, That it be referred to a committee of three; The members choſen Mr. Duane, Mr. Ellery and Mr. Carmichael.

A letter of the 21ſt from Mr. S. Deane was read, informing Congreſs that he has committed to writing as particular an account of his agency of their affairs in Europe as his ſituation will permit him, and that he waits the pleaſure of Congreſs to lay the ſame before them:

Ordered, That Mr. Deane be informed that Congreſs will meet this evening at 6 o'clock, to receive his information, and that he attend at that time.

A letter of the 16th from general Waſhington was read, incloſing a report of the commiſſioners by him appointed to meet commiſſioners from ſir Henry Clinton, and other papers reſpecting the meeting; and informing that an exchange of priſoners has not taken place: whereupon

Reſolved, That Congreſs approve the proceedings of the commander in chief and the commiſſioners appointed by him in the negociations at Amboy for exchange of priſoners:

Ordered, That ſo much of general Waſhington's letter as relates to the ſaid negociations, together with the papers incloſed, be publiſhed.

A letter of the 19th from Mr. de Francy was read:

Ordered, That to-morrow be aſſigned for conſidering it.

A letter of the 18th from the board of war was read:

Ordered, That it be referred to the board of treaſury.

A letter of this day from the marquis of Britigny was read:

Ordered, That Thurſday next be aſſigned for taking into conſideration the report on the memorial of the marquis of Britigny.

A letter

A letter of the 19th from H. Laurens, late president, was read:

Ordered, That it be referred to the board of treasury.

A letter of the 12th from general Mifflin, and one of the 15th from Cæsar Rodney, president of Delaware, were read.

A memorial from Elizabeth Preston was read:

Ordered, That it be referred to the board of war.

Resolved, That a member be appointed to the board of war, in the room of Mr. Sherman;

The ballots being taken,

Mr. J. Root was elected.

A memorial from Thomas Mumford was read.

The committee on the treasury, to whom was re-committed their report on the memorial of Ephraim Blaine, deputy commissary general of purchases, with direction to state the facts specially, report,

That it appears by a letter from the said E. Blaine to Congress, dated the 27th of March last, that he had purchased goods from George Kennedy, between the 3d of October, 1777, and the 9th of February following, to the amount of six thousand dollars, for which he had engaged him to take payment in loan-office certificates, on condition that such certificates should be procured for him before the 1st of March, 1778:

That Kennedy applied to the commissary general before that day, but because Blaine's accounts were unsettled he could not get a draught on the loan-office for these certificates:

That Kennedy was yet willing to take certificates to bear date as above:

That there were other claimants under the like circumstances who had not yet applied:

That the said letter being referred to the committee on the treasury, they gave their opinion that it was by no means proper to ante-date loan office certificates for the payment of a balance due from the public, and circumstanced as the case mentioned in the said letter:

That Mr. Blaine, on the 30th day of May following, presented a memorial to Congress, setting forth that he contracted with George Kennedy and others for articles for the use of the army in the months of October, November, December and January, then last, to the amount of seventeen thousand five hundred dollars, for which

which he had promiſed them loan-office certificates in payment; he therefore prayed for warrants on the loan-office for certificates to that amount, to be dated on the firſt day of January then laſt, to enable him to fulfil his contract:

That the ſaid memorial being referred to the board of treaſury they reported that they continued of the opinion they had before given on Mr. Blaine's letter, that it was by no means proper to ante-date loan-office certificates for the payment of thoſe debts:

That upon the ſaid report being read in Congreſs, it was re-committed:

That they have therefore a third time taken the ſubject of the letter and memorial into conſideration, and after mature reflection retain the opinion that they have repeatedly given, that ante-dated certificates ought not to be iſſued to ſatisfy the ſaid demand:

The report being read and conſidered,

Reſolved, That Congreſs agree to the ſame.

Another report from the board of treaſury was read; whereupon

Reſolved, That William Geddes, eſquire, commiſſioner of one of the chambers of accounts, be impowered aud requeſted to act as one of the commiſſioners of claims until the chamber of accounts can proceed to buſineſs.

Reſolved, That the remainder of the report reſpecting the memorial of captain John Sutton, be re-committed.

Another report from the board of treaſury was read; whereupon

Ordered, That a warrant iſſue on the treaſurer in favour of the marine committee, for twenty thouſand dollars, for the uſe of the navy board in the middle department; the ſaid committee to be accountable:

That a warrant iſſue on the treaſurer in favour of John Millar, for one thouſand dollars, in payment of a draught of major general Howe, dated Charles-Town, South-Carolina, Auguſt 24th, 1778, in favour of captain Rawleigh Downman, and indorſed by him for that ſum; it being agreeable to a letter of advice of the ſame date from major general Howe, who is to be accountable.

Reſolved, That the remainder of the report, reſpecting an additional allowance, beyond the eſtabliſhed price, to be made to officers who have purchaſed horſes for the cavalry, be poſtponed to Monday next.

Six

Six o'clock, P. M.

The committee to whom were referred ſundry letters from major general Mifflin, late quartermaſter general, brought in a report, which was read:

Ordered, That the conſideration thereof be poſtponed.

The committee to whom was referred the letter of the 13th from general Waſhington, relative to lieutenant colonel Fleury, brought in a report, which was read:

Ordered, That the conſideration thereof be poſtponed until the report of the board reſpecting brigadier du Portail, and the engineers who accompanied him, be taken up, and that both be conſidered together.

According to order Mr. Deane attending was called in, and proceeded to read his written information, but not having time to finiſh,

Ordered, That he attend to-morrow at ten o'clock, and proceed in his information.

Adjourned to ten o'clock to-morrow.

WEDNESDAY, *December* 23, 1778.

A letter of the 22d from colonel W. Grayſon was read, informing that he has been duly notified of his appointment to the board of war, and expreſſing a deſire to decline the ſame.

A letter of the 1ſt from Goſſinus Erkelins was read, and alſo one of November 29th from colonel G. Derick, informing Congreſs of his intention, on his arrival in Holland, to correſpond with the honourable doctor Franklin, at Paris, and deſiring that the preſident would mention his name to doctor Franklin in his next letter:

Ordered, That his deſire be complied with.

According to order Mr. Deane attending was called in, and proceeded in his information, and having gone through what he had written, he produced ſundry letters and papers, which he deſired might be read; upon a letter of April 7th, from doctor Franklin, to him, being read, Mr. Deane deſired leave to ſay ſome thing in explanation of the laſt clauſe of the ſaid letter, which reſpects a negociator, "who, as the letter mentions, is "gone back apparently much chagrined at his little ſuc-"ceſs, and in which doctor Franklin ſays he has promi-"ſed him faithfully, that ſince his propoſitions could "not be accepted, they ſhould be buried in oblivion; "and therefore earneſtly deſires that Mr. Deane would

"put

" put that paper immediately in the fire on the receipt " of the letter, without taking or ſuffering to be taken " any copy of it, or communicating its contents:"

As he was proceeding to explain this matter, a motion was made, That Mr. Deane withdraw:

Mr. Deane accordingly withdrew.

A motion was then made, That Mr. Deane be called in and informed, that if he has any thing further to report he lay it before Congreſs in writing:

In lieu of which it was moved, as an amendment,

That Mr. Deane be permitted to proceed in his verbal explanation, referred to, and that it be afterwards reduced to writing, if Congreſs ſhall judge it neceſſary:

The amendment being received, a diviſion was called for, and on the queſtion to agree to the firſt clauſe,

The yeas and nays being required by Mr. Ellery,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*no*	*divided*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*ay*	*ay*
	Mr. Duane,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
Delaware,	Mr. M'Kean,	*ay*	*ay*
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. M. Smith,	*no*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Williams,	*ay*	
	Mr. Hill,	*ay*	
	Mr. Burke,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved in the affirmative.

On

On the queſtion to agree to the ſecond clauſe,
The yeas and nays being required by Mr. Ellery,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*ay*	*ay*
	Mr. Duane,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
Delaware,	Mr. M'Kean,	*ay*	*ay*
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. M. Smith,	*ay*	
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Williams,	*ay*	
	Mr. Hill,	*ay*	
	Mr. Burke,	*ay*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*no*	*no*

So it was reſolved in the affirmative.

Ordered, That the ſecretary inform Mr. Deane that Congreſs will give him notice of the time when he ſhall attend again, which will probably be this evening.

Six o'clock, P. M.

A letter of September 10th from Jonathan Williams, at Nantes, was read, with a number of papers accompanying it:

Ordered, That the ſame lie on the table, for the peruſal of the members.

According to order brigadier W. Thompſon attending was called in, and the witneſſes being examined he withdrew.

Ordered,

Ordered, That brigadier W. Thompſon be called in and informed that if he has any thing to offer in his defence the houſe is ready to hear him, but that if he requires time to make his defence, it will be allowed him.

Brigadier Thompſon being called in and informed of the order of the houſe, deſired that the paper he had in his hand might be read:

The ſame being read, and he having nothing further to offer, general Thompſon was ordered to withdraw, and accordingly he withdrew.

Adjourned to ten o'clock to-morrow.

THURSDAY, *December* 24, 1778.

Mr. Samuel Atlee, a delegate from Pennſylvania, attended and took his ſeat in Congreſs.

The preſident informed Congreſs, that general Waſhington was arrived in town, purſuant to their orders: whereupon

Reſolved, That the commander in chief be introduced to Congreſs, and informed from the chair, that Congreſs have directed his attendance in order, among other things, to confer with him on the operations of the next campaign, and that a committee will be appointed for that purpoſe.

Ordered, That the ſecretary preſent the commander in chief with the foregoing reſolution, and acquaint him that Congreſs are now ready to receive him.

In purſuance of the foregoing order the commander in chief attended, and being informed by the preſident of the end for which Congreſs has deſired his attendance, and that a committee will be appointed, agreeably to the foregoing reſolution, he withdrew.

Congreſs proceeded to the election of a committee;

The members choſen are Mr. Duane, Mr. Root, Mr. M. Smith, Mr. G. Morris and Mr. Laurens.

Congreſs took into conſideration the charge againſt brigadier W. Thompſon; and the defence being read,

A motion was made, That the apology made by brigadier general Thompſon be accepted as ſatisfactory:

The charge and depoſitions were then called for, and a motion was made, That the examination of Mr. juſtice Atlee, and the depoſition of colonel Noarth, the one offerred to ſupport the charge againſt brigadier general Thompſon, and the other in his exculpation, be rejected, the ſame being taken *ex parte*:

To

To which an amendment was moved, by way of ſubſtitute,

That the examination of Mr. juſtice Atlee, taken before Congreſs on Monday the 7th inſtant, in ſupport of the charge againſt brigadier Thompſon, be rejected, and that the depoſition of colonel Noarth, produced laſt night by brigadier Thompſon in his own exculpation from the charge, be alſo rejected:

A queſtion was taken, Whether, conſiſtent with order, the latter propoſition can be offered as an amendment to the former:

On which the yeas and nays being required by Mr. Laurens,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*no*	*no*
	Mr. Duane,	*no*	
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*divided*
	Mr. Fell,	*no*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Atlee,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carmichael,	*ay*	*ay*
	Mr. Henry,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*divided*
	Mr. Hill,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved to be in order.

The queſtion being put on the amendment,

Paſſed in the negative.

The main queſtion was then divided, and on the queſtion, That the examination of Mr. juſtice Atlee be rejected,

The yeas and nays were required by Mr. Duane,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*ay*	*ay*
	Mr. Duane,	*ay*	
	Mr. G. Morris,	*ay*	
	Mr. Lewis,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Atlee,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carmichael,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. M. Smith,	*ay*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Hill,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*divided*
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved in the affirmative.

The queſtion was then put, That the depoſition of colonel Noarth be rejected:

Reſolved in the affirmative.

The queſtion was put, Whether the words "the ſame having been taken, *ex parte*," ſhall ſtand?

On which the yeas and nays being required by Mr. F. L. Lee,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*

Connecticut,

Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*no*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*ay*	*ay*
	Mr. Duane,	*ay*	
	Mr. G. Morris,	*ay*	
	Mr. Lewis,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Atlee,	*ay*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Carmichael,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*no*	*ay*
	Mr. M. Smith,	*ay*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Hill,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*divided*
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was reſolved in the affirmative.

The queſtion being taken on the whole,

Reſolved, That the examination of Mr. juſtice Atlee, and the depoſition of colonel Noarth, the one offered to ſupport the charge againſt brigadier W. Thompſon, and the other in his exculpation, be rejected, the ſame having been taken *ex parte*.

The proceedings on the journal relative to brigadier Thompſon, the charge and the depoſition of witneſſes, were then read; whereupon a motion was made, That brigadier general Thompſon is guilty of a breach of privilege:

On this queſtion the yeas and nays being required by Mr. Laurens,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Ellſworth,	*ay*	*ay*
	Mr. Root,	*ay*	

New-York,

New-York,	Mr. Jay,	*no*	
	Mr. Duane,	*ay*	*divided*
	Mr. G. Morris,	*no*	
	Mr. Lewis,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*divided*
	Mr. Fell,	*no*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*divided*
	Mr. Atlee,	*no*	
Delaware,	Mr. M'Kean, *excuſed*		
Maryland,	Mr. Carmichael,	*no*	*no*
	Mr. Henry,	*no*	
Virginia,	Mr. F. L. Lee,	*ay*	
	Mr. M. Smith,	*ay*	*ay*
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Hill,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	
	Mr. Drayton,	*no*	*ay*
	Mr. Hutſon,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was then reſolved in the affirmative.

It was then moved,

That general Thompſon's apology is ſatisfactory:

On which the yeas and nays being required by Mr. Laurens,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	
	Mr. Lovell,	*no*	*no*
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
Connecticut,	Mr. Elliſworth,	*ay*	*divided*
	Mr. Root,	*no*	
New-York,	Mr. Jay,	*ay*	
	Mr. Duane,	*ay*	
	Mr. G. Morris,	*ay*	*ay*
	Mr. Lewis,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*divided*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Atlee,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carmichael,	*ay*	*ay*
	Mr. Henry,	*ay*	

Virginia,

Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. M. Smith,	*ay*	
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Hill,	*ay*	
South-Carolina,	Mr. Laurens,	*no*	*ay*
	Mr. Drayton,	*ay*	
	Mr. Hutson,	*ay*	
Georgia,	Mr. Langworthy,	*ay*	*ay*

So it was resolved in the affirmative.

Adjourned to ten o'clock on Saturday.

SATURDAY, *December* 26, 1778.

A letter of the 21st from Abraham Clarke, of New-Jersey, was read, inclosing affidavits respecting the conduct of brigadier Maxwell in resisting a writ of Habeas Corpus:

Ordered, That the same be referred to a committee of three;

The members chosen Mr. Duane, Mr. Burke and Mr. Fell.

A memorial from Josiah Smith, surgeon, and others, late of the Revenge cutter, captain Cunningham, was read:

Ordered, That it be referred to the marine committee.

Congress resumed the consideration of the report of the committee of the whole on the subject of finance, when the sixth proposition was read, viz.

6. That proper bills be provided and ready to be delivered out at the said offices, to compleat the said exchanges as soon as possible, and that due notice be given to all parties by public advertisements as soon as the same shall be ready:

A motion was made to strike out the words "as soon as possible," and what follows to the end, and to insert in place thereof "by the first day of June next."

Another motion was made to substitute the following resolution:

That the commissioners of the loan-offices make returns to the treasury board immediately after the first day of June next, of the amount of the bills received into their respective offices, to be exchanged as aforesaid, and that proper bills to exchange the same be furnished and ready to be delivered out at their said offices within sixty days from and after the said first day of June: To

To which it was moved to add as follows:

And that the proprietors of bills brought into the loan-offices ſhall be entitled to and receive an intereſt on the ſums reſpectively brought in as aforeſaid, at the rate of ſix per centum per annum, from the 1ſt of June aforeſaid to the day on which they ſhall be exchanged:

On the queſtion to agree to this addition,

The yeas and nays being required by Mr. Laurens,

New-Hampſhire,	Mr. Whipple,	*no*	*no*
	Mr. Froſt,	*no*	
Maſſachuſetts-Bay,	Mr. Gerry,	*no*	*no*
	Mr. Lovell,	*no*	
	Mr. Holten,	*no*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
Connecticut,	Mr. Dyer,	*no*	*no*
	Mr. Ellſworth,	*no*	
	Mr. Root,	*no*	
New-York,	Mr. Jay,	*no*	*ay*
	Mr. Duane,	*ay*	
	Mr. Lewis,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*no*	*no*
	Mr. Fell,	*no*	
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Atlee,	*no*	
Maryland,	Mr. Carmichael,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. M. Smith,	*no*	*
	Mr. Griffin,	*ay*	
North-Carolina,	Mr. Penn,	*no*	*divided*
	Mr. Williams,	*ay*	
	Mr. Hill,	*ay*	
	Mr. Burke,	*no*	
South-Carolina,	Mr. Laurens,	*ay*	*ay*
Georgia,	Mr. Langworthy,	*no*	*no*

So it paſſed in the negative.

The amendment being adopted, on the queſtion to agree to the ſame,

The yeas and nays being required by Mr. Burke,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. Gerry,	*ay*	*ay*
	Mr. Lovell,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*

Connecticut,

Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*no*	*ay*
	Mr. Duane,	*ay*	
	Mr. Lewis,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Atlee,	*ay*	
Maryland,	Mr. Carmichael,	*ay*	*ay*
	Mr. Henry,	*ay*	
Virginia,	Mr. M. Smith,	*no*	*
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Penn,	*ay*	*no*
	Mr. Williams,	*no*	
	Mr. Hill,	*no*	
	Mr. Burke,	*no*	
South-Carolina,	Mr. Laurens,	*no*	*no*
Georgia,	Mr. Langworthy,	*no*	*no*

So it was reſolved in the affirmative.

The ſeventh propoſition was then read and agreed to, as follows:

7. That the firſt mentioned bills, as they are brought into the treaſury and loan-offices, be immediately croſſed and ſtruck through with a circular punch of one inch diameter, to be afterwards examined and burned, as Congreſs ſhall direct.

Ordered, That Mr. Deane be notified to attend Congreſs on Monday next at ten o'clock, A. M.

Adjourned to ten o'clock on Monday.

MONDAY, *December* 28, 1778.

There not being a ſufficient number of ſtates to proceed to buſineſs,

Adjourned to ten o'clock to-morrow.

TUESDAY, *December* 29, 1778.

Mr. Scudder, a delegate from New-Jerſey, attended and took his ſeat.

A letter of this day from doctor J. Morgan was read; whereupon

Reſolved, That a member be added to the committee on the memorial from doctor Morgan, in the room of Mr. Harvie;

The

The member chosen Mr. M. Smith.

A letter of the 17th from G. Clinton, governor of New-York, was read.

A letter of the 15th from colonel Malcolm was read, inclosing a return of the military stores and garrison of forts Clinton and Constitution:

Ordered, That the same be referred to the board of war.

Resolved, That two brigadiers be appointed for the troops of North-Carolina:

Colonel Jethro Sumner and colonel Thomas Clarke are nominated for brigadiers by the delegates of North-Carolina.

Resolved, That a committee of three be appointed to enquire into the state of the Pennsylvania troops, and report whether an additional brigadier is wanting for the troops of that state;

The members chosen Mr. M'Kean, Mr. Burke and Mr. Atlee.

Resolved, That an additional brigadier be appointed for the troops of South-Carolina:

Colonel Isaac Huger is nominated by the delegates of South-Carolina.

Congress proceeded to consider the subject of finance, and a set of resolutions relative thereto being read,

Ordered, That the further consideration thereof be postponed till to-morrow.

A motion was made as follows,

Whereas a report hath circulated in divers parts of America that Congress would not redeem the bills of credit issued by them to defray the expences of the war, but would suffer them to sink in the hands of the holder, whereby the value of the said bills hath, in the opinion of many of the good people of these states, depreciated; and least the silence of Congress might give strength to the said report;

Resolved, That the said report is false and derogatory to the honour of Congress.

A motion was made, That the consideration thereof be postponed:

On which the yeas and nays being required by Mr. Drayton,

New-Hampshire,	Mr. Whipple, *ay* Mr. Frost, *ay*	*ay*
Massachusetts-Bay,		

Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*no*	*no*
	Mr. Duane,	*no*	
	Mr. Morris,	*no*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*no*
	Mr. Scudder,	*no*	
	Mr. Fell,	*no*	
Pennſylvania,	Mr. Roberdeau,	*no*	*no*
	Mr. Atlee,	*no*	
	Mr. Searle,	*no*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Carmichael,	*no*	*divided*
	Mr. Henry,	*ay*	
Virginia,	Mr. F. L. Lee,	*ay*	*
	Mr. M. Smith,	*no*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Hill,	*no*	
	Mr. Burke,	*ay*	
South-Carolina,	Mr. Drayton,	*no*	*no*

So it paſſed in the negative.

After debate the previous queſtion was moved:

On which the yeas and nays being required by Mr. Drayton,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*no*	*no*
	Mr. Duane,	*no*	
	Mr. G. Morris,	*no*	

New-Jerſey,	Mr. Scudder,	*no*	*no*
	Mr. Fell,	*no*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*no*
	Mr. Atlee,	*no*	
	Mr. Searle,	*no*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Maryland,	Mr. Carmichael,	*no*	*
Virginia,	Mr. F. L. Lee,	*ay*	*ay*
	Mr. M. Smith,	*ay*	
North-Carolina,	Mr. Penn,	*no*	*no*
	Mr. Hill,	*no*	
	Mr. Burke,	*ay*	
South-Carolina,	Mr. Drayton,	*no*	*no*

So the ſtates were equally divided.

The main queſtion being then put,

And the yeas and nays being required by Mr. Drayton,

New-Hampſhire,	Mr. Whipple,	*no*	*divided*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*no*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*no*	*no*
	Mr. Collins,	*no*	
Connecticut,	Mr. Dyer,	*ay*	*no*
	Mr. Ellſworth,	*no*	
	Mr. Root,	*no*	
New-York,	Mr. Jay,	*ay*	*ay*
	Mr. Duane,	*ay*	
	Mr. G. Morris,	*ay*	
New-Jerſey,	Mr. Scudder,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Atlee,	*ay*	
	Mr. Searle,	*ay*	
Delaware,	Mr. M'Kean,	*ay*	*ay*
Virginia,	Mr. F. L. Lee,	*ay*	*
	Mr. M. Smith,	*no*	
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Hill,	*ay*	
	Mr. Burke,	*no*	
South-Carolina,	Mr. Drayton,	*ay*	*ay*

So it was reſolved in the affirmative.

On the queſtion to agree to the preamble,

The

The yeas and nays being required by Mr. Ellery,

New-Hampshire,	Mr. Frost,	*no*	*no*
Massachusetts-Bay,	Mr. S. Adams,	*no*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Island,	Mr. Ellery,	*no*	*divided*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Dyer,	*ay*	*no*
	Mr. Ellsworth,	*no*	
	Mr. Root,	*no*	
New-York,	Mr. Jay,	*ay*	*ay*
	Mr. Duane,	*ay*	
	Mr. G. Morris,	*ay*	
New-Jersey,	Mr. Scudder,	*ay*	*ay*
	Mr. Fell,	*ay*	
Pennsylvania,	Mr. Roberdeau,	*no*	*ay*
	Mr. Atlee,	*ay*	
	Mr. Searle,	*ay*	
Virginia,	Mr. M. Smith,	*no*	*
North-Carolina,	Mr. Penn,	*ay*	*ay*
	Mr. Hill,	*ay*	
South-Carolina,	Mr. Drayton,	*ay*	*ay*

So it was resolved in the affirmative.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, *December* 30, 1778.

There not being a sufficient number of states to proceed to business,

Adjourned to ten o'clock to-morrow.

THURSDAY, *December* 31, 1778.

A letter of the 30th from Mr. Deane was read, informing that he waits the orders of Congress, and that he has received letters which he is desirous to communicate personally, which relate to parts of his narration: whereupon

Ordered, That Mr. Deane be notified to attend immediately.

A letter of the 3d from major general Gates, at Boston, was read, inclosing a letter of the 1st to him from major general Philips, proposing to enter into a negociation with him for a release of the troops of the convention of Saratoga:

Ordered,

Ordered, That the letter from major general Philips lie on the table, and that the preſident inform major general Gates that Congreſs approve his conduct.

A letter of the 16th from B. Harriſon, deputy paymaſter general in Virginia, was read, incloſing his monthly account:

Ordered, That the ſame be referred to the board of treaſury.

A memorial from R. Patton, meſſenger, and one from W. Hurrie, door-keeper, were read: whereupon

Reſolved, That the ſums deducted from the former accounts of the memorialiſts, by the commiſſioners of claims, be paid them as a reward for extraordinary ſervice; and that they be paid what is now due to them at the rate of three dollars a day; and that they be paid for the future at the rate of four dollars a day.

A letter of November 30th from major general Gates was read, incloſing a memorial from brigadier du Portail, reſpecting the fortifying the harbour of Boſton:

Ordered, That the ſame be referred to the marine committee.

Mr. Deane attending was called in, and gave further information in writing, and having finiſhed,

Ordered, That he withdraw into the next room.

Accordingly he withdrew: whereupon

A motion was made,

That a day be now aſſigned for Mr. Deane to attend Congreſs, that ſuch queſtions may be aſked as the houſe ſhall think proper, to elucidate the ſubject of his narrative:

Queſtion put,

Paſſed in the negative.

Ordered, That Mr. Deane be called in and informed, that he has leave to withdraw, and that Congreſs will notify to him their future orders:

Mr. Deane being called in was informed of the foregoing order, and withdrew.

Congreſs proceeded to the ſubject of finance; and thereupon

7. *Reſolved*, That, in addition to the fifteen millions of dollars to be paid the year enſuing, the ſtates be called on to pay in their quotas of ſix millions dollars, annually, for eighteen years, commencing with the year 1780, as a fund for ſinking the loans and emiſſions of theſe United States to the 31ſt day of December, 1778, incluſive:

8.

8. That if the continuance and circumſtances of the war ſhall make any further emiſſions neceſſary the year enſuing, they ſhall be ſunk in the manner and within the period aforeſaid:

9. That any of the bills of credit, emitted by order of Congreſs prior to the year 1780, and no others, be received in payment of the ſaid quotas:

On the queſtion to agree to this reſolution,

The yeas and nays being required by Mr. Burke,

New-Hampſhire,	Mr. Whipple,	*ay*	*ay*
	Mr. Froſt,	*ay*	
Maſſachuſetts-Bay,	Mr. S. Adams,	*ay*	*ay*
	Mr. Gerry,	*ay*	
	Mr. Holten,	*ay*	
Rhode-Iſland,	Mr. Ellery,	*ay*	*ay*
	Mr. Collins,	*ay*	
Connecticut,	Mr. Dyer,	*ay*	*ay*
	Mr. Ellſworth,	*ay*	
	Mr. Root,	*ay*	
New-York,	Mr. Jay,	*no*	*ay*
	Mr. Duane,	*ay*	
	Mr. Lewis,	*ay*	
New-Jerſey,	Mr. Witherſpoon,	*ay*	*ay*
	Mr. Scudder,	*ay*	
	Mr. Fell,	*ay*	
Pennſylvania,	Mr. Roberdeau,	*ay*	*ay*
	Mr. Atlee,	*ay*	
Delaware,	Mr. M'Kean,	*no*	*no*
Maryland,	Mr. Henry,	*no*	*
Virginia,	Mr. M. Smith,	*no*	*
	Mr. Griffin,	*no*	
North-Carolina,	Mr. Hill,	*no*	*no*
	Mr. Burke,	*no*	
South-Carolina,	Mr. Drayton,	*no*	*no*

So it was reſolved in the affirmative.

10. That the bills received on the ſaid quotas be applied, firſt, to the payment of the intereſt, ſecondly, of the principals of loans made by theſe United States prior to the year 1780; and that the reſidue of the ſaid bills, together with the fifteen million of dollars for the year enſuing, be not re-iſſued but burned or deſtroyed, as Congreſs ſhall direct:

Ordered,

Ordered, That the committee of the treaſury ſelect from the journal the reſolutions reſpecting the calling in certain emiſſions, and providing a fund for ſinking bills of credit emitted by Congreſs, and prepare a proper preamble.

Adjourned to ten o'clock to-morrow.

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APPENDIX.

Expenditures.

	Dol.	90ths.
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Page 220.360.407.494.532.618.638.639.712. Jeremiah Wadsworth, esquire, accountable:	15,600,400	
Page 609. Peter Colt, esquire, accountable:	190,000	
Page 144. J. Trumbull, esquire, accountable:	25,000	
Page 559. J. Rae, esquire, accountable:	2,000	
TOTAL,	19,112,096	60

QUARTER-MASTER GENERAL'S DEPARTMENT. Page 72.106.107.115.123.131.134.147.163.546.683. Gen. Mifflin accountable:	1,872,403	
Page 191.203.237.261.360.442.532.684. Gen. Greene accountable:	14,850,000	
TOTAL,	16,722,408	

PAYMASTER GENERAL'S DEPARTMENT. Northern District, Page 6.63.101.177.250.349, J. Trumbull, esquire, accountable:	1,327,313	
Eastern District, Page 29.46.385.426.548.638. E. Hancock, esquire, accountable:	2,050,000	
Middle District, Page 20.29.75.102.110.112.115.134.142.168 181.191.214.228.235.239.310.331.442.505.524.559.573.599.607.627.659.684. W. Palfrey, esquire, accountable:	4,971,820	74
Western District, Page 18.172.282.402.712. J. Baynton, esquire, accountable:	125,532	54
Southern District, Page 160.552. J. Clay, esquire, accountable:	1,202,423	
Page 607. J. L. Gervais, esquire, accountable:	1,000,000	
Page 93.163.607. B. Harrison, esquire, accountable:	175,000	
TOTAL,	10,852,089	38

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	Dol.	90ths.
CLOATHIER GENERAL's DEPARTMENT. Page 47.52.62.192.224.258.305. 414.424.481.500.501.503.506.512.550.580.607. J. Meaſe, eſquire, accountable:	2,239,595	80
COMMISSARY GENERAL OF ISSUES. Page 261.477. C. Stewart, eſquire, accountable:	103,000	
COMMISSARY GENERAL OF PRISONERS. Page 160.434.436.703. E. Boudinot, eſquire, accountable:	29,500	
Specie,	26,666	60
Page 445.578.703. J. Beatty, eſquire, accountable:	7,697	40
Specie,	50,000	
TOTAL, {	37,197 and	40
{ Specie,	76,666	60
COMMISSARY GENERAL OF MILITARY STORES DEPARTMENT. Page 38.51. 70.588.685. B. Flower, eſquire, accountable:	255,022	60
HOSPITAL DEPARTMENT. Page 110.655. Doctor W. Shippen, jun. accountable:	150,000	
Page 58.113.220.290.337.443.512.639.651. Doctor J. Potts accountable:	970,000	
Page 147.336.462.683.684, Doctor Iſaac Forſter accountable:	275,000	
TOTAL,	1,395,000	
BOARD OF WAR. Page 27.35.49.53.65.160. 174. 181. 187. 205. 235. 244. 250. 280 328.343. 352. 360. 372. 374. 409. 418. 424. 462.478.484. 496. 547. 588. 604. 705. 714. J. Nourſe, eſquire, accountable:	3,590,891	48
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BARRACK-MASTER GENERAL'S DEPARTMENT. Page 149.477.712. Iſaac Melcher, eſquire, accountable:	125,000	
AUDITOR GENERAL. Page 84.214.385.430.657.—Michael Hillegas, eſquire, accountable for 260,538 dol. and 48.90; Page 644. John Gibſon, eſquire, accountable for the reſidue.	1,099,341	30
TOTAL to DEPARTMENTS,	56,980,922	87

SUMS granted to the different STATES; the ſaid States to be accountable, viz.

New-Hampſhire, Page 49,181,488,526,579,	202,500	
Maſſachuſetts-Bay, Page 55,409,445,462,532,627,638,	312,200	
Rhode-Iſland, Page 252,253,384,	550,000	
Connecticut, Page 54,55,187,374,385,536,639,703,706,	257,266	30
New-York, Page 57,364,	101,300	
New-Jerſey, Page 51,124,205,252,402,477,536,608,644,	297,500	
Pennſylvania, Page 91,146,181,214,384,547,595,	473,600	
Delaware, Page 74,157,293,	40,000	
Maryland, Page 51,131,134,171,215,238,247,310,	261,470	17
Virginia, Page 131,141,205,349,579,	75,021	
North-Carolina, Page 20,124,142,157,161,172,188,220,283,318,322,325,336,364,409,468,488,512,520,547,579,645,716,	623,278	43
South-Carolina, Page 134,319,556,	570,246	
Georgia, Page 110,252,286,595,703,	113,839	60
TOTAL to STATES,	3,878,221	60

To colonel Armand, for bounty, &c. to recruits, Page 373,	5,000
To general Arnold, Page 624,	8,000
To colonel Baylor, for his regiment, Page 18,146, 249,523,	256,492 60
To colonel Bland, for his regiment, Page 282,556,	38,000
To Mr. David Foreman, Page 107,	10,000

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To colonel Nicola's corps, Page 489,531,587,627,647,	4,829	89
To account with Mr. Kennon's Eſtate, Page 624, 627,684,	19,003	45
To major Lee, for his corps, Page 247,464,	90,000	
To Lottery Managers, Page 570,	86,000	
To colonel Matthews, for priſoners, page 672, ninety Half-Joes,		
To Mr. Blair M'Clenaghan, &c. Page 8,	61,719	30
To general M'Intoſh, for army under him, Page 330,331,	87,500	
To colonel G. Morgan, Page 115,202,497,691,	211,110	
To Mr. William Mountjoy, P. M. 3d Virg. reg. Page 126,	6,500	
To Monſieur Rouerie, Page 624,	10,778	
To general Pulaſki, for his corps, Page 184,279,310, 488,608,702,	87,786	
To lieutenant colonel Temple, for his regiment, Page 671,672,684,	11,277	
TOTAL to INDIVIDUALS, as above entered,	1,047,124	48
Reſidue of Expenditures, in payment of Debts, Salaries, &c. not entered above,	248,573	48
TOTAL of EXPENDITURE, in Currency,	62,154,842	63

EXPENDITURE of SPECIE, viz.

To the Commander in Chief, Page 503,	500 Guineas.		
To colonel G. Matthews, Page 672,	98 Half-Joes.		
To governor Clinton, Page 288,	2,000		Dollars.
To Elias Boudinot, eſquire, commiſſary general of priſoners, Page 436,	26,666	60	
To John Beatty, eſquire, commiſſary general of priſoners, Page 578,	50,000		
TOTAL, Dollars,	78,666	60-90	

To General Conway,	Page 360,	16,015	Livres.
To Colonel Mullen,	ibid.	110	
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To Monſieur Gimat,	642	5,000	
To Captain Capitaine,	ibid.	2,400	
TOTAL, Livres,		28,525	

ERRORS EXCEPTED.

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